

RECORD OF PROCEEDINGS

Minutes of Meeting

Plain Township Board of Trustee Meeting

Held

Administrative Office

7:15 a.m.

The Plain Township Board of Trustees met in regular session at the Plain Township Administrative Office, 45 Second Street, New Albany, Ohio.

Mr. Ferguson called the meeting to order with the Pledge of Allegiance to the flag.

Roll Call: Members Present Dave Ferguson, Dave Olmstead. Tom Rybski was absent. Bud Zappitelli, Fiscal Officer, was present. Other people present were Ben Collins, Chief Hoovler, Bob Pharris and Cindy Powell.

Visitors Present: Deputy Upton – Franklin County Sheriff

ADDITIONS OR CORRECTIONS TO THE AGENDA

Mr. Olmstead added an Executive Session concerning employment.

APPROVAL OF MINUTES

Mr. Olmstead made a motion to approve the December 19, 2018 Board of Trustees Meeting minutes with the correction of the date header. Mr. Ferguson seconded the motion.

Vote: All Aye (Resolution 19012301)

PAYMENT OF THE BILLS

Mr. Olmstead made a motion to pay the pending warrants in the amount of \$233,233.84.

Mr. Ferguson seconded the motion. Vote: All Aye (Resolution 19012302)

Mr. Olmstead and Mr. Ferguson didn't have any questions.

DUPUTY KEN UPTON – FRANKLIN COUNTY SHERIFF

Month of December there were 53 calls in the township and none were out of the ordinary.

Brief discussion about the stabbing at the Lifestyles community - Columbus.

ADMINISTRATOR

Update on our HRA reimbursements for 2018; still trending around \$180,000
Employee benefits meetings coming up soon in February.

Whitewater West was asked for a revised quote to remove the \$15,000 labor charge from the quote provided. Mr. Pharris is confident he can install the platforms. Mr. Collins will be sending the request for proposal to CPM for pool management.

M. Collins said Healthy New Albany has requested to use the township pool for the swimming portion of the Healthy New Albany Kids Triathlon. There shouldn't be any conflicts with pool operations and our open hours, just to give you a heads up they requested to use the pool. Mr. Olmstead asked if they would be paying for the lifeguards. Mr. Collins stated they will be picking up the insurance and taking financial responsibility for the event. There was a brief discussion about the Stark County litigation regarding OPEC-HC and the Jefferson Health plan.

Mr. Ferguson made a motion to pass Resolution No. 190123A1.

PREAMBLE

**WHEREAS, the Plain Township Board of Trustees (the "Board") has recognized internet auction services as an appropriate means of disposing excess Township property; and
WHEREAS, Ohio Revised Code Section 505.10 permits a board of township trustees to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies which is not needed for public use, is obsolete or unfit for the use for which it was required;
and**

WHEREAS, the Board has determined that an Internet auction is a cost effective method for disposing of such items and to be in the best interest of the residents of the Township.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the board of Trustees of Plain Township, Franklin County, Ohio, that the following Resolution be and is hereby adopted:

1. Pursuant to Ohio Revised Code 505.10(D), the Board of Trustees of Plain Township (the "Board") hereby expresses its intent to sell personal property, including motor vehicles, road machinery, equipment, tools, or supplies which is not needed for public use, is obsolete or unfit for the use for which it was acquired by internet auction; and

2. Items to be disposed of shall be inventoried, listed by department, and include the pertinent information (i.e. year, make, mileage or use) and presented to the Board. The Board shall recognize by formal vote the list of items to be disposed of, an established minimum price for each item, method of payment and any other terms and conditions of each sale, including requirements for pick-up or delivery.

3. The Board hereby designates the Township Administrator as the official point of contact for all Internet auctions. This person will establish the minimum price and other conditions of sale including pick-up, sales tax, method of payment and fees. This person shall be responsible for insuring that all items have been settled for and the appropriate paperwork is complete, releasing the Township of any ownership and liability.

4. The Township hereby contracts with GovDeals, Inc. to serve as a representative of the Township and conduct auctions on behalf of the Township and all property will be available to the public on www.govdeals.com website for a minimum of ten (10) days,

including Saturdays, Sundays and legal holidays as required in Section 505.10(D) of the Ohio Revised Code;

5. No items shall be transferred to a successful bidder until such time as guaranteed payment has been received in full.

6. Revenue collected from the sale of items by Internet auction shall be deposited into the General Fund of the Township or the Trustees may transfer and appropriate the revenue to the specific fund where the items sold were derived.

7. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of the resolution were taken in an open meeting of the Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action took place in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

8. This Resolution shall be full force and effect immediately upon its adoption.

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Collins stated Travis Dudley would be helping to put the list together which we should have by next month.

Mr. Olmstead made a motion to pass Resolution No. 190123A2. Be it resolved to approve tuition reimbursement for Mary Bullard Fee for up to \$750.00 for courses to be completed at Columbus State Community College in 2019 towards a bachelor's degree in Business Management, out of fund 01-B-08 (General – Twp-Other Expenses).

Mr. Ferguson seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 190123A3. Be it resolved to authorize the purchase of coffee, meals, refreshments and other amenities for Plain Township officers or employees or other persons when such expenditures are found to be reasonable and appropriate to perform a function or to exercise a power expressly conferred by statute upon Plain Township or necessarily implied therefrom. (Restatement of existing policy in Resolution 100217-B)

Mr. Ferguson seconded the motion. Vote: All Aye

Mr. Ferguson proposed to talk about this with regards to the coffee, meals and other amenities.

Mr. Collins explained that periodically the township will provide meals for training or in-service, and there could be opportunities to use that for staff development. This was used in the past training for the zoning boards.

Mr. Olmstead made a motion to pass Resolution No. 190123A4. Be It Resolved, that the Plain Township Board of Trustees hereby approves a contract through the Franklin County General Health District with Clarke Environmental Mosquito Management, Inc. for Mosquito Management, for a period beginning January 1, 2019 and ending December 31, 2021, with the option to extend the contract for two additional one-year periods, at a cost of \$2,056.48 per year, to be paid from 01-B-08 (General – Twp-Other Expenses) and authorizing the township administrator to execute the contract on behalf of Plain Township. Mr. Ferguson seconded the motion. Vote: All Aye

There was a discussion about the new mosquito contract.

Mr. Ferguson made a motion to pass Resolution No. 190123A5. Be it Resolved to pay Whitewater West Industries up to \$32,512.21 for materials to replace the fiberglass decking and rails of the interactive play unit at the Plain Township Aquatic Center according to the attached proposal out of fund 01-B-08 (General – Other Expenses).

Mr. Olmstead seconded the motion. Vote: All Aye

ZONING

Mr. Collins stated he's hoping to resolve the Oakland Nursery minor modification to the development plan.

MAINTENANCE

Mr. Ferguson asked Mr. Pharris how the new roof and siding on the maintenance building are. There was a brief discussion about the repairs.

Mr. Ferguson made a motion to pass Resolution No. 190123M1. Be it resolved, that the Plain Township Board of Trustees hereby approves the cost of \$1,500 to be paid to Ag-Pro Companies, Inc. of 5740 Zarley Street, New Albany, Ohio, for the trade-in and replacement two 60 inch Z915EB and one 48 inch Z915E (to be replaced by a comparable Z720E ZTrak) commercial mowers for new models, paid out of the following accounts:

01-B-06 General – Twp-Equipment Purchases and Replacements: \$97

10-A-08A Fire – Tools and Equipment-Fire: \$173

14-A-04 Pool – Tools and Equipment: \$390

05-A-08 Cemetery – Tools and Equipment: \$840

Ag-Pro Companies

5740 Zarley Street

New Albany, OH 43054

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Ferguson asked how long we keep the mowers. Mr. Pharris said one year. Mr. Collins stated we do not have any annual maintenance on them, it is all under warrantee.

Mr. Ferguson made a motion to pass Resolution No. 190123M2. Be it resolved, that the Plain Township Board of Trustees hereby authorizes the Plain Township Maintenance Superintendent to hire up to two summer seasonal maintenance employees, at up to \$14.00 per hour and not to exceed 1500 hours per employee for 2019, to work April 1 to December 1 as needed. Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Pharris stated two should be sufficient if he can find two. Mr. Ferguson asked how about the rate for a summer job at \$14.00 an hour. Mr. Collins stated they did some benchmarking and Dublin and Westerville have their rates out at \$13.50-\$15.50. There was a brief discussion about the OPERS contribution for seasonal employees.

Mr. Ferguson made a motion to pass Resolution No. 190123M3. Be it resolved, to pay TruGreen Commercial Services of 461 Enterprise Drive, Lewis center, Ohio 43035 up to \$7,200.00 for lawn treatment and fertilization for 2019 to include services according to the attached proposal for the following facilities:

Maplewood Cemetery: \$5,045.00 (05-A-12) Cemetery-Other Expenses

Fire Station: \$1,355.00 (10-A-150) Fire District-Other Expenses-Misc

Aquatic Center: \$800.00 (14-A-08) Pool-Other Expenses

TruGreen Commercial Services

461 Enterprise Drive

Lewis Center, Ohio 43035

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Olmstead asked if this was the same price as last year. Pharris said it is. Mr. Ferguson asked how many treatments this was for. M. Pharris said it depends on the location because the pool grounds are not treated while the pool is open.

FIRE DEPARTMENT

Chief Hoovler said there have been 103 fire and EMS runs since the last meeting. There was a working fire on Harlem last night resulting in minor damage. Mr. Collins talked about the runs to First and Main and asked Chief Hoovler to talk review those. Chief Hoovler said that First and Main is about 1/3 occupied and we are going there a lot. Mr. Ferguson asked if there was an insurance charge for those types of runs and Chief Hoovler stated they only get paid if they transport the patient. Chief Hoovler announced today was the official announcement that you could text in your Fire runs and 9-1-1. There was also a brief discussion on how the system works and what the benefits are.

FISCAL OFFICE

Mr. Ferguson made a motion to pass Resolution No. 190123B1.

PURPOSE

Ohio Revised Code Section 505.64 permits the Board of Trustees of Plain Township to authorize an officer, employee, or appointee of Plain Township to use a credit card account held by the Board. This Credit Card Account Policy is enacted to govern the use of any credit card accounts and their related presentation instruments, including credit cards and checks, by any and all people authorized by the Board to use a credit card account held by the Board of Trustees.

DEFINITIONS

1. "Authorized User" means an officer, employee, or appointee of Plain Township that has received authorization to use a credit card account held by the Board of Trustees of Plain Township.

2. "Board" means the Board of Trustees of Plain Township, Franklin County, Ohio.
3. "Credit Card Account" or "Account" means any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys. It does not include a procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the card account.
4. "Credit Card" means a credit card related to a Credit Card Account held by Plain Township.
5. "Fiscal Officer" means the Plain Township Fiscal Officer.
6. "Township" means Plain Township, Franklin County, Ohio.
7. "Policy" or "Credit Card Account Policy" means this policy and all exhibits, amendments, and supplements.

ARTICLE I. USE OF A CREDIT CARD ACCOUNT

Section 1. Authorized Users. The Board may authorize an officer, employee, or appointee to use a Credit Card Account from time to time. The list of people authorized to use a Credit Card Account, and their position with the Township, is contained on Exhibit A (the "Authorized User List") attached to this Policy. The Authorized User List should be updated by the Board, its designated representative, or the Township Fiscal Officer each time a person is added or removed from such list.

Section 2. Authorized Expenses. The Board may expressly limit the terms of use of a Credit Card Account with each Authorized User at any time. Any Credit Card Account, regardless of Board approval, may only be used to purchases work-related goods and services incurred on behalf of the Township. Such work-related goods and services include, but are not limited to, gasoline for Township vehicles, meal allowances, and equipment purchased on behalf of a Township project in which the Authorized User is directly participating and involved.

No transaction may exceed \$2,500.

In the event of an emergency, the Authorized User shall notify the Fiscal Officer of the need to spend an amount in excess of the limit. The required documentation for such transaction contained in this Policy shall be submitted to the Fiscal Officer no later than forty-eight (48) hours after the transaction.

Section 3. Unauthorized Expenses. Any purchase made beyond specific authorization limits imposed by the Board, if any, or what is authorized in this Policy, is an unauthorized expense. The use of a Credit Card Account for personal expenses is expressly prohibited. Personal expenses include those expenses that are not incurred as a direct result of the Authorized User's employment with the Township. Personal expenses include, but are not limited to, gasoline for personal vehicles, cash advances, any amount in excess of meal allowances, alcoholic beverages, tobacco, gambling, and personal goods.

Section 4. Guidelines for Acquisition, Use, and Management.

- A. Acquisition.** The Board must authorize an individual to use a Credit Card Account before a person may become an Authorized User and acquire access to a Credit Card or other presentation instrument associated with a Credit Card Account. The Board may place limits on the authorization of use of a Credit Card Account at such time as a person receives authorization to use a Credit Card or any time thereafter, at the Board's discretion and upon notice to the Authorized User. Upon the Board's authorization, the person receiving authorization must sign a copy of the attached Exhibit B, acknowledging they received a copy of this Policy and agreeing to abide by it.
- B. Permitted Uses.** Authorized Users may use a Credit Card Account for Authorized Expenses, as described in Article I, Section 2 of this Policy, incurred only by the Authorized User. An Authorized User may not transfer the Credit Card or purchase goods on behalf of any other person, regardless of whether the person is an employee of the Township or is purchasing goods or services for the Township. Authorized Users may, unless otherwise prohibited by the Board, use a Credit Card in person, online, over the telephone, by mail, or through fax. All purchases must be evidenced by an itemized receipt. If purchasing goods online, the Authorized User must use reasonable care and judgment regarding the authenticity and security of a website.
- C. Reasonable Care.** Authorized Users must use reasonable care when using a Credit Card.
- D. Notification of Purchase.** Prior to using a Credit Card the Authorized User should make a good faith effort to notify the Board, their authorized representative, or the Fiscal Officer of the intended purchase.
- E. Storage.** Authorized Users must take measures to ensure Credit Cards, checkbooks, and any other presentation instruments associated with a Credit Card Account are kept in a secure place at all times.
- F. Receipts.** Original, itemized receipts must be submitted to the Fiscal Officer or the Fiscal Officer's designee as soon reasonably possible. The receipt should include the customer copy of the receipt, any invoice from the vendor, the cost of the goods or services purchased, and the date of the purchase. The Authorized User should also submit documentation verifying the purchase was made on behalf of the Township, if necessary to describe the purchase.
- G. Return of Credit Card to Township.** The Authorized User, upon resignation, termination, or change in position within the Township shall return the Credit Card to the Fiscal Officer immediately. Additionally, the Credit Card shall be immediately returned if the Township revokes authorization to use the Credit Card or requests the return of the Credit Card.

Section 5. Liability. The Authorized User will be personally liable for reimbursing the Township for any of the following:

- A.** Upon any official bond the Authorized User has given to the Township to reimburse the Township treasury the amount for which the Authorized User does not provide itemized receipts;

- C. Expenses charged to the Credit Card that are not documented and submitted to the Fiscal Officer or the Fiscal Officer's designee;
- D. Expenses that exceed the scope of the authorization allotted by the Board of the Authorized User's use of the Credit Card;
- E. Unauthorized expenses;
- F. Purchases the Authorized User allowed an unauthorized user to make;
- G. Any other purchases made with the Credit Card that are in violation of this Policy, and the amendments and supplements thereto.

The County Prosecutor is authorized and shall recover the amount of any unauthorized expenses incurred by an Authorized User who either uses a Credit Card, or allows another person to use a Credit Card, in an unauthorized manner and fails to immediately and voluntarily make restitution to the Township for the total amount of the unauthorized purchase(s). This section does not limit any other liability of the employee or officer who carried out the unauthorized use.

Section 6. Misuse. Using a Credit Card for Unauthorized Expenses, as the same are discussed in Section 3 of this Article I, constitutes misuse. Failing to submit receipts, or submitting incomplete information, within a reasonable time after making a purchase also constitutes misuse.

Any public servant, as the same is defined in §2921.01 of the Revised Code of Ohio, who knowingly misuses a Credit Card will be subject to criminal prosecution pursuant to §2913.21 of the Revised Code of Ohio. Misuse of a Credit Card may result in disciplinary action up to and including termination.

Section 7. Issuing or Re-Issuing a Credit Card. A Credit Card should be issued or re-issued at the discretion of the Board. Upon the written request of an employee, prior Authorized User, or current Authorized User, the Board may re-issue a Credit Card.

Section 8. Cancellation and Stolen/Lost Credit Cards. An individual Credit Card connected to a Credit Card Account should be cancelled upon the determination of the Board.

In the event a Credit Card is lost or stolen, or the Authorized User has reason to believe a Credit Card is lost, stolen, or used in an unauthorized manner, the Authorized User shall immediately notify the Fiscal Officer or the Fiscal Officer's designee in person or by phone and in writing. The Fiscal Officer or the Fiscal Officer's designee must notify the card issuer immediately. The Authorized User must provide all necessary information required by the Township or the card issuer relating to the disappearance of the Credit Card.

Section 9. Credit Card Account Limits. The credit limit on each Credit Card Account held by the Township is included on the attached Exhibit C incorporated herein by reference and should be updated upon any change of limits or additional credit lines.

ARTICLE II. RULES FOR TOWNSHIP CREDIT CARD ACCOUNTS

Section 1. Credit Card Account Instruments. The Township's name shall appear on each presentation instrument related to the Credit Card Account, including but not limited to Credit Cards and checks.

Section 2. Annual Report. The Fiscal Officer or the Fiscal Officer's designee annually shall file a report with the Board detailing all rewards received based on the use of the Credit Card Accounts.

Section 3. Payment. Debt incurred as a result of the legitimate use of a Township credit card shall be paid from moneys appropriated by the Board.

Section 4. Administrative Duties. Each month the Fiscal Officer shall present a Credit Card Account transaction detail from the previous month to the Board. The Board shall review the Credit Card Account transaction detail and the chairperson of the Board shall sign an attestation stating the Board reviewed the Credit Card Account transaction detail.

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Ferguson asked if there were any changes. Ms. Powell briefly discussed the changes and the new resolution. Ms. Powell thanked Mr. Collins for his assistance with filling in the blanks to the template we received from the Township Association. There was discussion with regards to the amount allowed for monthly charges between the departments and the procedure for each charge on the credit cards. Mr. Ferguson asked Chief Hoover if he reviews credit card purchases. He said yes. The process of reviewing credit card purchases was reviewed. Mr. Olmstead made a change to read credit card limit/purchase limit so that each is identified.

OLD BUSINESS

Mr. Olmstead stated the McCoy center, out of the capital improvement fund for carpeting, just paid \$71,000 to carpet the whole lobby with high-grade carpet tiles. They also did the concrete work out in front, on the steps, which ended up being \$35,000-\$40,000. Mr. Collins said the concrete work was cheaper than expected. Mr. Olmstead asked Mr. Collins if he was able to attend the McCoy meeting, he will be unable to attend.

Mr. Collins said they are still working on funding for the amphitheater, where they have pending contributions. We approved a resolution last year so we can submit a check at any time. Cindy Powell stated she needed to go back and review the resolution for the amphitheater for the dollar amount and what fund it will be coming from. Mr. Collins said it was currently in the temporary appropriations.

EXECUTIVE SESSION

Mr. Ferguson made a motion to adjourn into executive session at 7:53 a.m. pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, demotion or dismissal. Mr. Olmstead seconded the motion. Roll Call Vote: All Aye

Mr. Zappitelli also attended the Executive Session.

Mr. Olmstead made a motion to close out of executive session at 8:03 a.m. Mr. Ferguson seconded the motion. Roll Call Vote: All Aye

ADJOURNMENT

Mr. Ferguson made a motion to adjourn the meeting at 8:03 a.m. Mr. Olmstead seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:



David Ferguson, Trustee



Dave Olmstead, Trustee



Bud Zappitelli, Fiscal Officer

Thomas Rybski, Trustee