

## **RECORD OF PROCEEDINGS**

*Minutes of Meeting*

Plain Township Board of Trustee Meeting

*Held*

Plain Township Administrative Offices 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: Mr. Ferguson, Mr. Olmstead and Mr. Rybski. Mr. Zappitelli, Fiscal Officer, was present. Other people present were Chief Hoovler, Ben Collins and Cindy Powell.

### **ADDITIONS OR CORRECTIONS TO THE AGENDA**

Mr. Ferguson requested an Executive Session concerning compensation. Mr. Collins added the Oath of Office and bond signing.

### **OATH OF OFFICE**

Mr. Zappitelli gave the Oath of Office to Mr. Ferguson and Mr. Rybski for their terms beginning January 1, 2018.

### **APPROVAL OF MINUTES**

**Mr. Rybski made a motion to approve the November 15, 2017 Board of Trustees Regular Meeting Minutes as submitted. Mr. Olmstead seconded the motion. Vote: All Aye (Resolution 17122001)**

**Mr. Olmstead made a motion to approve the December 7, 2017 Board of Trustees Regular Meeting Minutes as submitted. Mr. Rybski seconded the motion. Vote: All Aye (Resolution 17122002)**

### **PAYMENT OF BILLS**

**Mr. Ferguson made a motion to approve and pay the pending warrants in the amount of \$344,109.58. Mr. Olmstead seconded the motion. Vote: All Aye (Resolution 17122003)**

### **ADMINISTRATOR**

Mr. Collins gave an update on Health Insurance runout claims. There was discussion concerning options for the administration of runout claims.

**Mr. Olmstead made a motion to pass Resolution No. 171220A1. Be it resolved: Regular Board of Trustees meetings will be held the first Wednesday of each month at 7:00 pm and the third Wednesday of each month at 7:15 am. The first Wednesday meeting of each month will be held at the Plain Township fire station located at 9500 Johnstown Road, New Albany, Ohio 43054. The second Wednesday meeting of each month will be held at the Plain Township administrative offices located at 45 Second Street, New Albany, Ohio 43054.**

**The organizational meeting of the Plain Township Board of Trustees will be held on January 10, 2018 at 7:00 pm at the Plain Township fire station. The second meeting of January will be held on January 24, 2018 at 7:15 am at the Plain Township administrative offices.**

**Notice of special meetings will be posted at least 24 hours in advance on the township's website at [www.plaintownship.org](http://www.plaintownship.org) and at the township office at 45 Second Street, notifying the public of the time, place and purpose of the special meeting. The media will be notified of special meetings via email, telephone or fax – as requested. Notice of emergency meetings will be posted on the township website as soon as possible and notice will be sent via email to local media and any persons who have requested notice.**

**Mr. Rybski seconded the motion. Vote: All Aye**

**Mr. Rybski made a motion to pass Resolution No. 171220A2. WHEREAS, the Plain Township Board of Township Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ attorneys on an annual basis other than the prosecuting attorney to represent the Township and its officers, boards and commissions in their official capacities and to advise them on legal matters; and**

**WHEREAS, Section 309.09(B) of the Revised Code provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney's legal services shall be fixed; and**

**WHEREAS, the Board finds it necessary to appoint attorneys to counsel and represent the Township on an annual basis for calendar year 2018 in such matters as the Board or its designee may refer to them; and**

**WHEREAS, the Board has appropriated \$20,000 for legal services for 2018.**

**NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Plain Township, Franklin County, Ohio, that:**

**SECTION 1. Donald F. Brosius of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, are hereby employed on an annual basis for calendar year 2018 as the Township's legal counsel to represent the Township and its officers, boards and commissions in their official capacities and to advise them in connection with such matters as may be referred to said Counsel by or on behalf of the Board or its designee.**

**SECTION 2. The compensation for such counsel during 2018 shall be paid as follows: \$225.00 per hour partner attorney time; \$205.00 per hour senior associate time; \$180.00 per hour associate time; \$120.00 per hour law clerk time; and \$105.00 per hour legal assistant time; plus out-of-pocket expense reimbursements; provided that the total compensation shall not exceed \$15,000 without further action by this Board.**

**SECTION 3.** The attorneys may be discharged at any time by majority vote of the Board.  
**SECTION 4.** The Township Fiscal Officer is directed to send a copy of this Resolution to the law firm.

**SECTION 5.** It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without limitation, Section 121.22 of the Revised Code.

Mr. Ferguson seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 171220A3. WHEREAS, the Plain Township Board of Township Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ attorneys on an annual basis other than the prosecuting attorney to represent the Township and its officers, boards and commissions in their official capacities and to advise them on legal matters; and

WHEREAS, Section 309.09(B) of the Revised Code provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney's legal services shall be fixed; and

WHEREAS, the Board finds it necessary to appoint attorneys to counsel and represent the Township on an annual basis for calendar year 2018 in such matters as the Board or its designee may refer to them; and

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Plain Township, Franklin County, Ohio, that:

**SECTION 1.** The Plain Township Fiscal Officer or its designee is hereby authorized to engage Donald F. Brosius of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, in calendar year 2018 to represent the Fiscal Officer in his official capacity and to advise the Fiscal Officer in connection with such matters as may be referred to said Counsel by or on behalf of the Fiscal Officer or its designee.

**SECTION 2.** The compensation for such counsel during 2018 shall be paid as follows: \$225.00 per hour partner attorney time; \$205.00 per hour senior associate time; \$180.00 per hour associate time; \$120.00 per hour law clerk time; and \$105.00 per hour legal assistant time; plus out-of-pocket expense reimbursements; provided that the total legal expenses incurred by the Fiscal Officer shall not exceed \$2,500 without further action by this Board.

**SECTION 3.** The Board of Trustees retains authority over employment of the township's attorneys and may amend or rescind this resolution at any time.

**SECTION 4.** It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without limitation, Section 121.22 of the Revised Code.

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Ferguson made a motion to pass Resolution No. 171220A4. Be it Resolved to approve a 3.5% wage increase for all township employees beginning on the first pay date in 2018, being January 5, 2018. Mr. Olmstead seconded the motion. Vote: All Aye

**Mr. Ferguson made a motion to pass Resolution No. 171220A5. Be it resolved, to accept the proposal from The Standard for life insurance covering full-time township employees and officers, through agent Jon Hastings, beginning January 1, 2018 at the benefit levels and cost structure presented in the attached proposal. The rates will be guaranteed for three years. Mr. Rybski seconded the motion. Vote: All Aye**

**Mr. Olmstead made a motion to pass Resolution No. 171220A6. Be it Resolved, that the Board of Trustees hereby rescinds prior resolution 171207A6.**

**Mr. Rybski seconded the motion. Vote: All Aye**

**Mr. Olmstead made a motion to pass Resolution No. 171220A7. Be it resolved by the Board of Trustees of Plain Township, Franklin County, Ohio, to approve an agreement with the Jefferson Health Plan to administer Plain Township's runout claims resulting from the Ohio Public Entity Consortium – Healthcare Cooperative, being claims incurred in 2017 but submitted for payment on or after January 1, 2018. The Board of Trustees hereby accepts The Jefferson Health Plan proposal to administer Plain Township's runout claims on a pooled basis at the initial funding rate of \$4,000 per covered employee. This rate covers the estimated claims costs, Jefferson Health Plan administration costs and large claim protection.**

**Be it further resolved that the Plain Township Board of Trustees hereby approves the attached Release Agreement by and between Plain Township and the Jefferson Health Plan relating to the administration of Plain Township runout claims.**

**Be it further resolved to set aside and pay the Jefferson Health Plan up to \$204,000 for runout claims administration and claims payment resulting from the Ohio Public Entity Consortium – Healthcare Cooperative plan and to authorize the township administrator to negotiate an agreement with the Jefferson Health Plan to administer runout claims consistent with this resolution. Mr. Rybski seconded the motion. Vote: All Aye**

### **ROADS AND MAINTENANCE**

Mr. Collins explained the need for seasonal maintenance staff. There was discussion concerning seasonal maintenance staff, the applicant and the resolution being only for one position.

**Mr. Olmstead made a motion to pass Resolution No. 171220M1. Be it resolved, that the Plain Township Board of Trustees hereby authorizes the Plain Township Maintenance Superintendent to hire winter seasonal maintenance staff, at up to \$15.00 per hour and not to exceed 1500 hours per employee per calendar year.**

**Mr. Ferguson seconded the motion. Vote: All Aye**

**Mr. Rybski made a motion to pass Resolution No. 171220M2. Be it Resolved, that the Board of Trustees hereby establishes the position of Maintenance Specialist and adopts the attached job description for the position.**

**Mr. Olmstead seconded the motion. Vote: All Aye**

**Mr. Ferguson made a motion to pass Resolution No. 171220M3. Be it Resolved, that the Board of Trustees hereby approves the promotion of Dave Thatcher to the position of Maintenance Specialist with a pay increase of \$2.00 per hour to become effective on the next pay cycle beginning December 30, 2017.**

**Mr. Rybski seconded the motion. Vote: All Aye**

### **FIRE DEPARTMENT**

Chief Hoovler said there have been 120 Fire and EMS runs since the last Trustee meeting. Chief Hoovler said that we are running 100-125 runs over last year. There was discussion concerning fire department continuing education for officers.

**Mr. Ferguson made a motion to pass Resolution No. 171220F1. Be it resolved to approve tuition reimbursement for Lt. Chris Pabst for up to \$500.00 for courses to be completed at Columbus State Community College in 2017 towards an Associate's degree in Fire Science, out of fund 01-C-09. Mr. Olmstead seconded the motion. Vote: All Aye**

### **FISCAL OFFICE**

The November 2017 End of Month and Bank Reconciliation Reports were presented.

**Mr. Ferguson made a motion to pass Resolution No. 171220B1. Whereas, Plain Township accepted a 2015 Assistance to Firefighters Grant for a Vehicle Exhaust Removal System. The award check from FEMA in the amount up to \$64,762 for the purchase of the Vehicle Exhaust Removal System and Plain Township's responsible portion in the amount up to \$3,238 for a total of up to \$68,000 was receipted in Fund 14F – FEMA Grant. The total cost paid to Clean Air Concepts was of \$67,996.33.**

**Be it Resolved, to transfer \$3.67 from Fund 14F - FEMA Grant – Fire Equipment to Fund 10 – Fire District to return the appropriate amount back to the fund it was initially paid out of. Mr. Rybski seconded the motion. Vote: All Aye**

### **OLD BUSINESS**

Mr. Ferguson said that it was his understanding that the City of New Albany was donating 1 million dollars to the amphitheater project. There was a brief discussion concerning the amphitheater project and a Plain Township donation.

**EXECUTIVE SESSION**

Mr. Ferguson made a motion Pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, discipline demotion or dismissal, to go in to Executive Session. Mr. Olmstead seconded the motion. Roll Call Vote: All Aye. (8:02 a.m.)

Mr. Olmstead moved that the Trustees return to Regular Session at 8:17 a.m. Mr. Rybski seconded the motion. Roll Call Vote: All Aye


**ADJOURNMENT**

Mr. Rybski made a motion to adjourn the meeting at 8:17 a.m. Mr. Olmstead seconded the motion. Vote: All Aye

**BOARD OF TRUSTEES:**

  
David Ferguson, Trustee

  
Dave Olmstead, Trustee

  
Thomas Rybski, Trustee

  
Bud Zappitelli, Fiscal Officer