

RECORD OF PROCEEDINGS

Minutes of Meeting

Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 7:15 a.m. at the Fire Station, 9500 Johnstown Road, New Albany, OH 43054.

Mr. Ferguson called the meeting to order. Mr. Ferguson led the Trustees in the Pledge of Allegiance to the flag.

Roll Call: Members Present: Dave Ferguson and Jill Beckett-Hill. Others present: Fiscal Officer Bud Zappitelli, Ben Collins, Assistant Chief Connor, Battalion Chief Dudley, Mike Durik and Courtney Rogers.

Ms. Mollard arrived at 7:21 a.m. and Bobby Pharris arrived at 7:28 a.m.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Ms. Beckett-Hill has old business she would like to discuss.

APPROVAL OF MINUTES

Ms. Beckett-Hill made a motion to approve the November 16, 2022 Board of Trustees Meeting minutes. Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 22122101)

Mr. Ferguson made a motion to approve the December 6, 2022 Board of Trustees Special Meeting minutes. Ms. Beckett-Hill seconded the motion. Vote: All Aye. (Resolution 22122102)

PAYMENT OF THE BILLS

Mr. Ferguson made a motion to pay the pending warrants in the amount of \$865,687.26. Ms. Beckett-Hill seconded the motion. Vote: All Aye. (Resolution 22122103)

CITY LIAISON – MIKE DURIK

Mr. Durik reported that New Albany City Council met last week and approved the purchases of 70+ acres of land west of Bevelhymer Road and north of Walnut Street. This is to avoid the land being developed for housing. New Albany will likely be partnering with the Joint Parks District to increase the metro parks. New Albany City Council also approved the construction of the Pickleball courts at Bevelhymer Park.

Mr. Collins reported that the construction on the Bob Webb development is underway. A culvert is going in to manage stormwater, the roadway and bridge will be widened, and leisure trails will be added.

ADMINISTRATOR

Mr. Ferguson asked for input on the longevity pay. He wanted to know if that was something that could be eliminated based on the raises that the Board has approved this year. Mr. Ferguson asked Courtney Rogers if it would be easier to pay this out in a lump sum at the end of the year. Ms. Rogers does not think that it would be easier to do this. It is Ms. Rogers opinion that we do not make any decisions to change longevity pay until the Township implements a new payroll system.

Mr. Ferguson made a Motion to pass Resolution No. 221221A1. Be it Resolved to approve a 5% wage increase for all township staff effective on the first pay date in January 2023. Beginning on the first pay date in 2023, the fire chief shall receive an hourly rate that is equivalent to 5% greater than the assistant chief pay rate. Beginning on the first pay date in 2023, the assistant fire chief shall receive an hourly rate that is equivalent to 5% greater than the battalion chief annual pay with medic bonus, including 152 hours of holiday pay, divided by 2080 hours. Beginning with the first pay date in January 2023, the part-time firefighter paramedic pay rate shall be \$20.00 per hour and the part-time firefighter basic pay rate shall be \$19.00 per hour.

Assistant Fire Chief pay rate = (BC pay rate + medic) x (2496+152) x 1.05 2080

Beginning with the first pay date in January 2023, the firefighter pay steps shall be adjusted to three steps at the rates indicated. Current staff will proceed to the next higher pay rate on their anniversary.

Step 1 - Hire to 1st anniversary: \$25.31 + \$1.75 medic bonus

Step 2 - Start of year 2: \$28.46 + \$1.75 medic bonus

Step 3 - Start of year 3: \$31.61 + \$1.75 medic bonus

Ms. Mollard seconded the Motion. Vote: All Aye

Ms. Beckett-Hill made a Motion to pass Resolution No. 221221A2.

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 2023 in such matters as the Board or its designee may refer to them; and

WHEREAS, the Board has appropriated \$22,500 for legal services for 2023.

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

SECTION 1. Peter N. Griggs of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, are hereby employed on an annual basis for calendar year 2023 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 2023 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

Ms. Mollard made a Motion to pass Resolution No. 221221A3.

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 2023 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 I. The Plain Township Fiscal Officer or its designee is hereby authorized to engage Peter N. Griggs of Brosius, Johnson & Griggs, LLC and the law firm of Brosius, Johnson & Griggs, LLC, in calendar year 2023 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 2023 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.

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Ms. Beckett-Hill made a Motion to pass Resolution No. 221221A4.

Whereas, Ohio's Cooperative Purchasing Act. (AM. Sub. H.B. No. 100) was signed into law on December 4, 1985; and

Whereas, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials;

Now therefore be it resolved, that the Plain Township Board of Trustees hereby agrees as follows in order to participate in the 2023 State Cooperative Purchasing Program:

Section 1. That the Plain Township Board of Trustees hereby requests authority in the name of Plain Township, to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

Section 2. That the township administrator is hereby authorized to agree in the name of Plain Township to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of Plain Township's participation in the contract. Further, that the Plain Township Board of Trustees hereby agrees to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

Section 3. That the township administrator is hereby authorized to agree in the name of Plain Township to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the Plain Township Board of Trustees does hereby agree to directly pay the vendor.

Mr. Ferguson seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 221221A5. Be it resolved: Regular Board of Trustees meetings for 2023 will be held the first Wednesday of each month at 6:30 p.m. and the third Wednesday of each month at 12:00 p.m. Meetings will be held at the Plain Township fire station located at 9500 Johnstown Road, New Albany, Ohio 43054 unless otherwise noted.

The organizational meeting of the Plain Township Board of Trustees will be held on January 4, 2023 at 6:30 p.m.

Notice of special meetings will be posted at least 24 hours in advance on the township's website at 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.

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 221221A6. Be it resolved, that expenses incurred for 2023 by the trustees, administrator, and fiscal officer when attending state conferences and membership dues of state associations will be paid from the General Fund. Ms. Mollard seconded the Motion. Vote: All Aye

Mr. Ferguson noted that all conferences need to be approved by the Fire Chief and the Township Administrator and all attendees must follow the Township Code of Conduct.

Mr. Ferguson made a Motion to pass Resolution No. 221221A7. Be it resolved, that the Plain Township Board of Trustees hereby designates the township administrator as the board's designee for public records training in compliance with Ohio Revised Code § 109.43. Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 221221A8.

Be it Resolved, that in accordance with Ohio Revised Code 507.11, the Board of Trustees hereby restates the Plain Township employee purchase authority limits as follows:

Purchases - \$10,000 per transaction limit – Administrator Ben Collins

Purchases - \$5,000 per transaction limit – Fire Chief Pat Connor

Purchases - \$2,500 per transaction limit – Battalion Chief Kevin Sponaugle, Battalion Chief Greg Ecleberry, Maintenance Superintendent Bobby Pharris, and Finance Officer Courtney Rogers

Purchases - \$750 per transaction limit - Captain Chris Pabst, Lieutenant Jason Moore, and Administrative Coordinator Mary Fee

Credit Line – Englefield Oil – Emergency Fuel - (Account Limit \$10,000) – Maintenance Department and Fire Department

Credit Line – Sam's Club (Account Limit \$15,000) - Bobby Pharris, Mary Fee, Chris Pabst, Brian Reasoner, Darrin Knicely, and Courtney Rogers

Credit Line - Micro Center (Account Limit \$5,000) – Pat Connor, Jason Miller, Mary Fee, Ben Collins, and Courtney Rogers

Credit Line - CDW-G – (Account Limit \$2,500 per transaction) – Pat Connor, Jason Miller, Mary Fee, Ben Collins, and Courtney Rogers

Credit Line - Staples (Account Limit \$10,000) – Plain Township – Mary Fee (Primary Purchaser)

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

ZONING

Mr. Collins reported that there is continued interest in redeveloping the Eastern Oil site on Walnut Street. The Township received a preliminary inquiry about the process to submit a rezoning application. The intended use would be limited access personal storage.

Mr. Collins also reported that a longstanding community business whose lease was terminated with little notice is looking to be relocated to the Ackerman property on State Route 605. The property would need to be rezoned to suburban office for this use.

ROAD/MAINTENANCE

Mr. Pharris reported that the maintenance staff has started the renovations on the Maintenance shed. Mr. Ferguson congratulated everyone on the success of the Wreaths Across America event. It was well attended and he also expressed his thanks to the City of New Albany for partnering on the event. Mr. Collins thanked Josh Poland for recording the event and sharing with the community.

Mr. Ferguson made a Motion to pass Resolution No. 221221M1. Be it Resolved, to set aside and authorize payment to the City of New Albany up to \$12,000 for 2023 Road Salt purchases out of fund 2141-330-54090 (Road District – Material).

Ms. Mollard seconded the Motion. Vote: All Aye

FIRE DEPARTMENT

Assistant Chief Connor reported that there have been 99 runs since the last Board meeting.

Assistant Chief Connor reported that the Engine Rescue is currently being serviced. Genoa Township's engine is on loan to Plain Township. It is the same engine and is rescue capable.

Assistant Chief Connor completed the critical task analysis meeting with Fitch and Associates on December 13, 2022. He thanked Ms. Mollard for her help with the community stakeholders meeting scheduled for late January.

Assistant Chief Connor has been attending the weekly Intel meetings and they are conducting safety exercises. Moving forward, construction will involve digging trenches, so Chief Connor is going to schedule trench response training.

Ms. Mollard made a Motion to pass Resolution No. 221221F1. Be it resolved to approve payment to Atlantic Emergency Solutions for the purchase of 3" fire hose in the amount of \$5,263.10 out of fund 2111-220-54030 (Fire District – Tools and Equipment - Fire).

**Atlantic Emergency Solutions
12351 Randolph Ridge Lane
Manassas, VA 20109**

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 221221F2. Be it Resolved: To transfer \$400,000 from the Fire District Fund Transfer-out line (2111-220- 59010) to Fund 21 – Capital Equipment – Fire Fund Transfers-in line (4910-000-49031).

Be it Further Resolved: To increase the appropriations in the Capital Equipment-Fire – Fire Equipment fund (4910-220-55000) by \$35,000.

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 221221F3. Be it resolved to approve payment to Howell Rescue Systems for the Genesis SLi Rescue System tools from American Rescue Technology, in an amount up to \$105,000 out of fund 4910- 220-55000 (Capital Equipment-Fire – Fire Equipment). Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Ms. Beckett-Hill made a Motion to pass Resolution No. 221221F4. Be it resolved to approve training for firefighters Nathan Forsthoefel and Will Newton to attend a Fire Rescue Technician Training Program. The amount will not exceed \$7,500.00 for course registration fees. The program will be held at Washington Township Fire Training Complex, Dublin, Ohio in conjunction with Bowling Green University on scheduled days between January - June of 2023. This will be paid out of fund 2111-220-58018 (Fire District-Other Expenses-Training. Mr. Ferguson seconded the Motion. Vote: All Aye

Ms. Beckett-Hill made a Motion to pass Resolution No. 221221F5. Be it Resolved, that the Plain Township Board of Trustees hereby amends the Personnel Policy as follows to update the Fire Department overtime language:

ARTICLE VI - COMPUTATION OF PAY AND HOURS

6.1 Payment of Wages Salaries and compensation will be determined by resolution of the Board of Trustees. Employees will be paid bi-weekly (26 pay periods annually). The Township Fiscal Officer will prepare payroll. Overtime will be paid at 1-1/2 times the regular hourly rate for hours in excess of forty hours in a workweek for non-exempt status employees. The pay period starts every other Saturday and runs for (14) calendar days. Full-time Firefighters' pay is based upon ninety-six (96) hours per pay period, and overtime will be based paid at 1-1/2 times the hourly rate for hours in excess of ~~10~~96 hours in a pay period. The Plain Township Fiscal Office shall specify the format of a time sheet to ensure proper documentation of hours worked by all employees. The employee and his/her supervisor must sign time sheets before submission to the Township Fiscal Office. Ms. Mollard seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 221221F6. Be it resolved to elect Trustee Dave Ferguson and Trustee Kerri Mollard to serve one year on the Volunteer Firefighters' Dependents Fund as board members. Trustee Kerri Mollard to serve as chairperson. Also,

to elect Bob Albright to serve as a citizen's representative. Chief Patrick Connor and Battalion Chief Sponaugle to serve as board members from the fire department. Patrick Connor to serve as secretary. Ms. Mollard seconded the Motion. Vote: All Aye

FISCAL OFFICE

The November 2022 Bank Reconciliation and Month End reports were presented.

Mr. Zappitelli updated the Board on the recent meetings regarding the Township's investigations into alternate payroll systems and companies. He reported that the Fiscal Office and Fire Department has met with UKG and there is an upcoming meeting with ADP. He hopes to have a decision sooner rather than later.

Mr. Ferguson made a Motion to pass Resolution No. 221221B1. Be it resolved, to authorize and pay BHM CPA GROUP, Inc. an amount up to \$7,000 for the Ohio Auditor of State 2021 and 2022 Financial Audit out of fund 1000-110-53010 (General – Auditor's and Treasurer's Fees). Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 221221B2. Be it resolved, to authorize and pay the State of Ohio Treasurer an amount up to \$3,000 for the Ohio Auditor of State 2021 and 2022 Financial Audit out of fund 1000-110-53010 (General – Auditor's and Treasurer's Fees). Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Mr. Ferguson made a Motion to pass Resolution No. 221221B3. Be it resolved, to amend Exhibit A of the Plain Township Credit Card Account Policy first adopted on January 23, 2019 in order to update the users and account limits.

EXHIBIT A

AUTHORIZED USER LIST

Authorized User	Date Approved by Board	Authorized Credit Card Account	Purchase Limit	Date Authorization Terminated
Bob Pharris Maintenance Superintendent	1/23/2019	Home Depot	\$5,600/ \$2,500 per transaction	
Michael Bullard Maintenance Specialist	8/31/2022	Home Depot	\$5,600/ \$1,000 per transaction	
Jack Rupp Fire Chief	1/23/2019	Home Depot	\$5,600/ \$2,500 per transaction	12/21/2022

Ben Collins Township Administrator	8/7/2019	Huntington National Bank	\$5,000/ \$2,500 per transaction	
Jack Rupp Fire Chief	8/7/2019	Huntington National Bank	\$5,000/ \$2,500 per transaction	12/21/2022
Pat Connor Fire Chief	8/31/2022	Huntington National Bank	\$5,000/ \$2,500 per transaction	
Bob Pharris Maintenance Superintendent	8/7/2019	Huntington National Bank	\$3,000/ \$2,500 per transaction	
Kevin Sponaugle Battalion Chief	8/7/2019	Huntington National Bank	\$3,000/ \$2,500 per transaction	
Greg Ecleberry Battalion Chief	12/21/2022	Huntington National Bank	\$3,000/ \$2,500 per transaction	
Mary Fee Administrative Coordinator	8/7/2019	Huntington National Bank	\$750/ \$750 per transaction	
Courtney Rogers Accounting Assistant	11/18/2020	Huntington National Bank	\$750/ \$750 per transaction	
Chris Pabst Captain	8/7/2019	Huntington National Bank	\$750/ \$750 per transaction	
Debbie Barnett Administrative Assistant	8/7/2019	Huntington National Bank	\$750/ \$750 per transaction	
Fred Houseberg Firefighter	8/7/2019	Huntington National Bank	\$750/ \$750 per transaction	8/31/2022

Ms. Beckett-Hill seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 221221B4. Be it Resolved: To authorize the Plain Township Fiscal Officer to renew an agreement with Kindred Spirits Investment Management LLC, DBA RedTree Investment Group for investment advisor services at the current rate of \$6,000 annually (to be billed quarterly) to be paid out of Fund 1000-110-53060 (General – Contractual Services). Ms. Beckett-Hill seconded the Motion. Vote: All Aye

OLD BUSINESS

Ms. Beckett-Hill discussed the updates that are being scheduled for the Fire Station. She had estimates for flooring that she wanted input on and approval. The flooring will be scheduled first. The Board also wants to update all the bathrooms, including the guest bathrooms and the firehouse bathrooms. Mr. Collins reminded the Board that expenses over \$50,000 have to go out for state bid and projects over \$75,000 are at prevailing wage. Ms. Beckett-Hill expects the flooring to cost approximately \$30,000. She feels the demolition work can be done by the maintenance department.

Ms. Mollard made a motion to approve the purchase of flooring for the Fire Station not to exceed \$35,000. Mr. Ferguson seconded the motion. Vote: All Aye

EXECUTIVE SESSION

Mr. Ferguson made a motion to adjourn into executive session at 8:11 a.m. pursuant to Ohio Revised Code 121.22 (G)(1) for employment, personnel, and discipline. Ms. Beckett-Hill seconded the motion. Vote: All Aye

Mr. Zappitelli, Ben Collins, and Assistant Chief Connor attended the Executive Session.

Mr. Ferguson made a motion to close out of executive session at 9:09 a.m. Ms. Mollard seconded the motion. Vote: All Aye

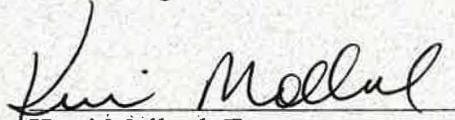
ADJOURNMENT

Mr. Ferguson made a motion to adjourn the meeting at 9:09 a.m. Ms. Mollard seconded the motion. Vote: All Aye

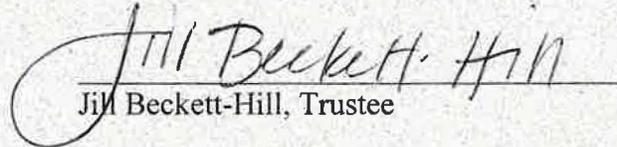
BOARD OF TRUSTEES:



David Ferguson, Trustee



Kerri Mollard, Trustee



Jill Beckett-Hill, Trustee



Bud Zappitelli, Fiscal Officer