

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

Roll Call: Members Present: Dave Olmstead, Tom Rybski, Dave Ferguson. Others present included: Bobby Pharris, Chief Rupp, Courtney Rogers, Mary Fee, and Captain Dudley. Visitors present: Mike Durik and Kerri Mollard.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Mr. Olmstead requested a special meeting for executive session Tuesday, August 24th at 7pm regarding employment.

APPROVAL OF MINUTES

Mr. Olmstead made a motion to approve the July 29, 2021 Board of Trustees Meeting minutes. Mr. Ferguson seconded the motion. Mr. Rybski abstained. Vote: All Aye. (Resolution 21081801)

Mr. Rybski made a motion to approve the August 4, 2021 Board of Trustees Meeting minutes. Mr. Olmstead seconded the motion. Mr. Ferguson abstained. Vote: All Aye. (Resolution 21081802)

PAYMENT OF THE BILLS

Mr. Olmstead made a motion to pay the pending warrants in the amount of \$373,745.68. Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 21081803)

CITY LIASION – MIKE DURIK

Mr. Durik indicated that the City Council had not met since the last meeting so he had little to report. Mr. Durik further indicated that when they meet again, the majority of what they will be discussing is administrative other than the NONA development on State Route 605. Mr. Durik advised that this will be a contentious issue because there are challenges with the size and scale of the apartment building.

ADMINISTRATOR

Mr. Collins was unable to attend. However, Ms. Fee was present to answer any questions. Mr. Olmstead indicated that he had spoken with Mr. Collins regarding the residents at 8008 Morse Rd. and their continued operation of a “mini farm” that has created some health issues.

Mr. Rybski made a motion to pass Resolution No. 210818A1.

A resolution authorizing the Township Administrator to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) pursuant to the OneOhio Memorandum of Understanding (“MOU”) regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

WHEREAS, Plain Township, Franklin County, Ohio (herein “Plain Township”) is a township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Plain Township has

adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Board Trustees understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, the Plain Township Board of Trustees wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

NOW THEREFORE, BE IT ORDAINED BY THE PLAIN TOWNSHIP BOARD OF TRUSTEES, FRANKLIN COUNTY, OHIO.

Section 1. That the Plain Township Administrator is authorized to accept the Proposed Settlement on behalf of Plain Township pursuant to the terms of the OneOhio MOU.

Section 2. That it is found and determined that all formal actions of the Board relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of Plain Township. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Mr. Olmstead seconded the Motion. Vote: All Aye.

ZONING

Ms. Fee indicated that the Zoning Commission had just approved a couple of requests, one for a pool cover and the second was a lot set back on Wilbur Road. Next month there will be a hearing on Jorgenson Farms' request for another structure to be used in conjunction with events that occur on the property. There is some debate over whether or not this would fall under Agritourism.

Ms. Fee further indicated that Rocky Fork Blacklick Accord is reviewing the expansion of the New Albany Self Storage facility.

ROAD/MAINTENANCE

Mr. Pharris indicated that he is getting prices on replacing the door to the maintenance building due to bird issues. He indicated that he has tried numerous avenues, but nothing has worked.

Mr. Pharris indicated that the leak detection company is coming on August 23, 2021 to investigate the water leak at the pool.

FIRE DEPARTMENT

Chief Rupp indicated that there has been 74 EMS runs and 31 Fire runs since the last meeting.

Mr. Ferguson made a Motion to pass Resolution No. 210818F1. Be it Resolved: To amend the Plain Township Policy to adopt a new Job Description for the position of Assistant Fire Chief within the Township Fire Department. To be effective the filling of the vacant position. Mr. Olmstead seconded the Motion. Vote: All Aye.

Mr. Olmstead made a Motion to pass Resolution No. 210818F2. Be it resolved pay Violet Township Fire Department \$3,275.00 for a joint purchasing of the Tablet Command ICS Software for one year, to be paid out of 211-220-53057 (Fire District-Utilities-Information Technology). This will be followed by an annual service agreement starting in year two in the amount of \$2,275.00. Mr. Rybski seconded the Motion. Vote: All Aye.

FISCAL OFFICE

Courtney Rogers indicated that on behalf of the Fiscal Office, there is one Resolution pending for restate purchase authority at Micro Center. She also reported that the second half Real Estate property taxes have been received. The Township is still waiting on the second half TIF payment from the City of New Albany and the second half Homestead and Rollback from Franklin County. The July bank reconciliation and month-end reports were presented.

Mr. Rybski made a motion to pass Resolution No. 210818B1. Be it Resolved: to restate the purchase authority for the township account at Micro Center:

Purchase limit of \$1,500: Jack Rupp, Jr., Terry Guthrie, Jason Miller, Dan Gilmore, Ben Collins, Courtney Rogers, Mary Fee

Purchase limit of \$5,000: Kevin Sponaule

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

OLD BUSINESS

None.

NEW BUSINESS

The McCoy Board has a couple of Township appointees that will be rolling off soon and need recommendations for replacement.

CITIZENS' COMMENTS

Ms. Mollard indicated that the Fire runs have not been updated on the Township website since March 2019 and asked if that could be updated.

ADJOURNMENT


Mr. Ferguson made a motion to adjourn the meeting at 7:39 a.m. Mr. Olmstead seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:

David Ferguson, Trustee



Dave Olmstead, Trustee



Thomas Rybski, Trustee



Bud Lappitelli, Fiscal Officer