

RECORD OF PROCEEDINGS

Minutes of Meeting

Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 7:00 p.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 Kerri Mollard. Others present: Fiscal Officer, Bud Zappitelli, Ben Collins, Assistant Chief Connor, Bobby Pharris, Mary Fee, Mike Durik, Hans Schell, Jill Beckett-Hill, Abbey Brooks, Battalion Chief Dudley, Capt. Pabst, and Battalion Chief Sponaugle.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Ms. Mollard has an item for new business. Mr. Ferguson requested an executive session for the purposes of appointment.

APPROVAL OF MINUTES

Mr. Ferguson made a motion to approve the July 7, 2022 Board of Trustees Meeting minutes with corrections. Ms. Mollard seconded the motion. Vote: All Aye. (Resolution 22072001) Ms. Mollard would like page 4 to read that both Mr. Ferguson and Ms. Mollard recognized Dave Olmstead for his contributions and service to the community.

Ms. Mollard made a motion to approve the July 13, 2022 Board of Trustees Meeting minutes as submitted. Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 22072002)

CITY LIAISON – MIKE DURIK

Mr. Durik reported that New Albany City Council met last night. City Council approved, by a second reading, the rezoning of 25 acres next to the old Bob Evans property. It is all commercial now. City Council also had a review of changes to city code as well as standards for a hamlet. It was decided that the standards would be set at 6 units per acre, 200 sq ft of commercial space for each residential dwelling (the property south of the creek cannot be calculated in commercial calculation), and elevation is 40 feet along the front and up to 50 feet in the back. There is also 25% required green space. In addition to the Planning Commission, the Architectural Review Committee also has to approve the plans. Therefore, any plans will start with Rocky Fork Blacklick Accord, then go to the Planning commission, the Architectural Review Committee and then come to New Albany City Council for any approval. City Council also clearly defined that the hamlet is bounded by Central College Road, State Route 605 and below the creek. It will not grow past the 33 acre parcel. The second hamlet was eliminated. City Council recognized the high school girl's lacrosse team on winning the state championship.

NEW ALBANY PARKS DISTRICT BOARD UPDATE-ABBEY BROOKS

Abbey Brooks reported that the Parks Board passed a resolution to proceed with a tax levy this fall for operating expenses. It is a replacement .69 mill levy. The Parks Board also passed a resolution to proceed with a bond levy for building a new field house. It is a \$46 million bond. Mr. Ferguson inquired as to whether the Parks district did any research regarding interest in the community. Ms. Brooks reported that they used a company to survey the residents and that 52-54% of the community was interested and would be in support of the facility. The facility will have indoor turf fields for soccer, an indoor walking track, basketball courts, and community space with ping pong tables, golf simulators, meeting rooms and locker rooms. There will be dedicated space for senior citizens programming. The tax effect would be a little over \$200/year on a \$500,000 house.

Ms. Brooks reported that most of the recreational activities are back to pre-pandemic participation levels. The Parks staff has added new events like the Halloween Trunk-or-Treat party, the Family Fun Day, and the Family Movie Series.

Mr. Ferguson thanked Ms. Brooks for her service to the Township. He asked that a representative from the Parks Board come to a Township meeting once a quarter to provide updates. Mr. Ferguson also requested the meeting minutes from the Parks Board be provided to the Township. Mr. Ferguson would also like to know what the policies will be for use of the field house as far as priorities for use. Mr. Ferguson also requested an update on Thompson Park and the concerns with crime. Ms. Brooks reported that the gate is operational.

Ms. Mollard made inquiries as to the use of the proposed new field house. She wanted to know who could use it, cost, etc.

ADMINISTRATOR

Mr. Collins reported that the PTAC swim team won the league championship. Now that the swim team season is over, there are more lifeguards available for swim lessons. Membership sales and daily visits are going well. Mr. Collins also reported that he is monitoring the water usage after last years' experience. A small leak was noticed close to last year's repair site, it will be repaired at the end of the season.

Mr. Collins received an update from Modlich Memorials with a sample columbarium. The sample is one sided. There is no cost estimate included. Materials are granite and stainless steel. Mr. Ferguson inquired as to how this would fit into our master plan. Ms. Mollard likes the pedestrian scale of the sample.

Mr. Collins also reported that the Township is working to schedule the drainage improvement at the cemetery prior to October 2022.

Mr. Collins reported that a full-time maintenance position has been posted. The Township has received one response so far.

Ms. Mollard made a Motion to pass Resolution No. 220720A1. Be it resolved, by the Board of Trustees of Plain Township that Township Administrator Ben Collins is hereby appointed to serve as the delegate representing Plain Township on the Governing Board of the MECC Regional Council of Governments.

Be it further resolved that Trustee Kerri Mollard is hereby appointed to serve as the alternate delegate representing Plain Township on the Governing Board of the MECC Regional Council of Governments, in the event the delegate is unable to attend a meeting of the Governing Board. Mr. Ferguson seconded the Motion. Vote: All Aye

Resolution No. 220720A2 was Tabled until the next meeting.

ZONING

Mr. Collins reported that Mary Fee staffed the last Zoning meeting. There was a variance that passed. Mary received another variance request that will be on next month's agenda. There is an inquiry regarding a rezoning at Walnut Street and Johnstown Road. A property owner is requesting planned commercial for future development. Mr. Collins also reported that there is a 72 acre parcel listed for sale at \$175,000/acre on the west side of Johnstown Road on the county line. Mr. Collins also reported that the Franklin County Thoroughfare Plan is being updated. There are no new road connections on the plan. However Plain Township and City of New Albany have a Walnut Street connection anticipated. Mary Fee reported that there have been no new complaints.

ROAD/MAINTENANCE

Mr. Pharris reported that the cemetery had two funerals this week. He also has to replace the shop air compressor. Mr. Ferguson asked how the new mower is working. Mr. Collins reported that it took some getting used to but the staff is glad that it doesn't blow clippings onto the monuments. The seasonal staff is nearing the end of their summer employment with the township. Mr. Ferguson inquired as to whether the Township has been able to utilize New Albany's mechanic for some of the Township's needs. Assistant Chief Connor said that he has spoken with Mike Barker and it looks like the city can provide preventative maintenance.

FIRE DEPARTMENT

Assistant Chief Connor indicated that there were 35 Fire and 97 EMS runs between July 1-15, 2022.

Assistant Chief Connor participated in a public safety announcement for the schools. It is a school safety video that will air at the school.

Ms. Mollard made a Motion to pass Resolution No. 220720F1. Be it resolved to approve payment to Pieper Frame and Truck Repairs, Inc. for the removal, repair, and reinstallation of the rear axle assembly on Engine Rescue 121 in the amount of \$18,826.94 out of fund 2111-220-58024 (Fire District-Repairs-Non-Routine).

**Pieper Frame & Truck Repairs, Inc.
12998 Worthington Road NW
Pataskala, Ohio 43062**

Mr. Ferguson seconded the Motion. Vote: All Aye

Assistant Chief Connor explained that with the shortage of chassis, the Township needs to approve the purchase of a new medic in order for the Fire Department to get their order in. Assistant Chief Connor appreciates the Board of Trustees being proactive in approving this purchase. A medic should have a 12 year life span. The last medic purchased in 2019 was \$282,000. No payment is due until delivery.

Mr. Ferguson made a Motion to pass Resolution No. 220720F2.

WHEREAS, the Plain Township Fire Department is in need of a new fire apparatus, specifically, an emergency medical transport vehicle; and

WHEREAS, the Board of Trustees (the "Board") of Plain Township, Franklin County, Ohio, (the "Township") may, pursuant to the provisions of Ohio Revised Code 505.37, purchase any fire apparatus that seems advisable to the Board; and

WHEREAS, the Township is a member of the Ohio Department of Administrative Services Cooperative Purchasing Program ("ODAS"); and

WHEREAS, the Board desires to accept a proposal, dated July 14, 2022, whereby the Township will agree to purchase a Horton Emergency Medical Transport Vehicle from Horton Emergency Vehicle Company, consistent with the provisions of ODAS Ohio State Term Schedule Contract No. 800330, and attached hereto as Exhibit A and incorporated herein by this reference (the "Agreement"); and

WHEREAS, the financial obligations of the Township outlined in the Agreement will not be due and owing this calendar year, and will not be appropriated for the purpose of fulfilling the Township's obligations under the provisions of the Agreement until next calendar year; and

WHEREAS, the purchase of the new fire apparatus, specifically, an emergency medical transport vehicle, is advisable to the Board; and it is in the best interest of the Township and its residents to enter into the Agreement and purchase an emergency medical transport vehicle pursuant to the provisions of the Agreement.

RESOLUTION

NOW THEREFORE, be it resolved by the Board of Trustees of Plain Township, Franklin County Ohio, that the following Resolution be, and hereby is, adopted:

RESOLVED, that the Board hereby approves and accepts the proposal to purchase a Horton Emergency Medical Vehicle attached hereto as Exhibit A and incorporated herein by this reference ("Agreement").

RESOLVED, that the Board hereby authorizes, empowers and appoints Ben Collins, Plain Township Administrator, on behalf of the Board and the Township, to accept and execute the Agreement and such other necessary documents associated with the purchase of the desired emergency medical transport vehicle, and take such actions as the Township Administrator may deem necessary or desirable in fulfilling the obligations of the Board and Township under the terms of the purchase proposal.

RESOLVED, that the financial obligations of the Township in accepting and executing the Agreement are expressly subject to future resolutions of the Board appropriating and authorizing the expenditure of such funds as are necessary to meet the Township's financial obligations. Those obligations are also subject to the certification of the Township Fiscal Officer under Section 5705.41 of the Ohio Revised Code.

RESOLVED, that the specifications of the emergency medical transport vehicle are subject to review by the Franklin County Prosecutor pursuant to section 505.37 of the Ohio Revised Code.

RESOLVED, that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

Ms. Mollard seconded the Motion. Vote: All Aye

Assistant Chief Connor explained the need for an enhanced security system at the Fire Station. Each member of the Fire Department as well as some Township employees will have their own key FOB that will record the movements in and out of the building and vehicles. If lost, a key FOB could be immediately deactivated. The Fire Department feels this is a necessary update for safety as well as to safeguard the drugs that the department keeps on site.

Ms. Mollard made a Motion to pass Resolution No. 220720F3. Be it resolved to pay Silco Fire & Security an amount up to \$37,588.14 for the purchase and installation of an access control system for the fire station, out of fund 2111-220-55020 (Fire District-Fire Building and Additions).

**Silco Fire & Security
2345 Southwest BLVD
Grove City, Ohio 43123
614-782-6208**

Mr. Ferguson seconded the Motion. Vote: All Aye

Assistant Chief Connor explained that the change in personnel appearance is specifically addressing tattoos. No fire department employee shall have tattoos on their face, neck and hands as well as any tattoo that could be offensive. Leadership will police this change.

Also in the promotion section, Chief Connor thought it was too restrictive in the verbiage. He wants to have more control over what is tested and not be required to come back to the Board of Trustees to change resource materials that he would like to use for testing. He also does not want to be restricted to a specific testing company.

Mr. Collins also explained that the Fire Department is looking at succession planning. The intent is that the Fire Department will be able to announce the testing period for promotions.

Ms. Mollard made a Motion to pass Resolution No. 220720F4. Be it Resolved that the Plain Township Personnel Policy is hereby amended as follows to amend the Fire Department promotional testing language and the personal appearance policy:

3.3 Promotions - Fire Department Personnel

Promotion and Selection Process

The following process will be used to promote to the ranks of lieutenant, captain, and battalion chief. Upon completion of this process, an eligibility list will be established for each rank and maintained for one year with the Trustees having the right to extend the list for up to one additional year.

When the chief announces, in writing, the intent to test for any position, all interested employees with the appropriate qualifications must submit a letter of intent to take the test. This letter must be submitted to the chief within fourteen (14) calendar days of the announcement date.

Those who submit letters of intent and who meet the position qualifications will then continue through the following evaluation steps in order. The weight of each step is noted:

30% 1. A written examination, written and administered by a testing agency. The written examination must be passed with a minimum score of 70.0%. Scores in excess of 70% will be the weighted component. (75% = 5 points; 90% = 20 points) Written components for Lieutenant, Captain, and Battalion Chief will be selected by the Fire Chief (designee) and posted within the time limits required for testing.

30% 2. A skills assessment including an evaluation and oral review panel defined by the fire chief (or designee). The assessment will be designed to identify communication, management, and leadership capacity.

40% 3. A structured interview with the Fire Chief, Assistant Fire Chief and Township Administrator;

15.4 Personal Appearance Policy

Each employee's dress, grooming, and personal hygiene should be appropriate to the work situation. All employees are expected at all times to present a professional, business-like image to the public and co-workers. Business casual attire is appropriate in most situations. Hair should be clean, combed, and neatly trimmed or styled. Sideburns, mustaches, and beards should be neatly trimmed.

Although individuality and personal expression is recognized, the Township's goal is to provide professional, efficient and courteous service to the public. For that reason, body piercing (other than minimal numbers of earrings), tattoos on the face, head, neck, or hands (with the exception of a wedding band tattoo), and extreme or unusual hair colorings will not be permitted to be revealed in the workplace. Visible tattoos may not include obscene, offensive, extremist, or gang related images or language.

Fire Department personnel shall comply with standard operating guidelines addressing appearance and apparel that are adopted by the Fire Chief.

Mr. Ferguson seconded the Motion. Vote: All Aye

Mr. Ferguson reviewed the Stryker ALS 360 program memo that Mr. Collins distributed. This plan would replace the existing EMS equipment and provide a 5-year maintenance plan for new equipment. The proposal offers a \$1 buyout option at termination. Plain Township's existing EMS equipment is near the end of its life. Mr. Ferguson and Ms. Mollard both believe it sounds like a good program. Ms. Mollard went on to say that she thinks it makes sense, is a good use of tax-payer dollars, and supports the EMS runs. Mr. Ferguson asked how much the Township has spent over the past 10 years on equipment and Assistant Chief Connor responded that the Township has not spent the necessary money to update equipment. A lot of equipment is outdated. There has been no capital equipment replacement plan for EMS equipment since 2012. Under this proposed plan with Stryker, the equipment can be upgraded once during the 10 year contract.

The Board moved on to a review of salary compensation. Mr. Collins provided a total schedule compensation by jurisdiction. For Plain Township, that includes salary, medic bonus, holiday pay, and pension pickup. In the past decade, the Township has adopted a strategy of identifying the mid-point of the area labor market and meeting or exceeding that mid-point. Columbus Fire is giving all of their firefighters a \$4000 raise and Mifflin Township is making an adjustment for all fire department staff. Washington Township adopted a 2-year compensation plan to secure their

retention plan. With Plain Township's current step plan, a firefighter reaches the top step in 4 years. Battalion Chief Sponaugle reported that Orange Township is planning on hiring all 19 new positions for their new fire station with lateral transfers so competition for retention is going to increase. Mr. Collins and the Fire department leadership is proposing a mid-year increase of 3% and a larger cost of living increase at year end of 5%. They are also looking to eliminate Step 1 for the firefighters. Mr. Ferguson asked for feedback from the Fiscal Office. Mr. Zappitelli has spoken with Mr. Collins regarding the budget and there are currently funds available. An increase in compensation along with other big ticket items that have been discussed would require the Township to present a levy earlier than originally planned. The last levy that was passed was in 2015. The Township would be looking at a levy in 2026. Mr. Collins also expects additional tax revenue from commercial development in the coming years. Ms. Mollard asked if the Board has had a prior policy of keeping a minimum carryover year to year. Mr. Ferguson asked if there are any TIF's that have not yet been made whole. Mr. Collins reported that the Township has one more make-up payment expected this year. Mr. Ferguson would like to get a schedule of all potential revenue sources that are not currently included in the budget. The Township is not collecting any tax dollars on development north of State Route 161.

Assistant Chief Connor reported that there are some problems with dispatching to the Google buildings right now. The building has a Beech Road address so the 911 calls are going to Licking County. He would like to get different addresses for the 3 buildings.

Ms. Mollard discussed the resolution passed earlier this year allowing overtime pay for firefighters working 96-106 hours. The fire department said that cost has been negligible.

Mr. Ferguson and Ms. Mollard thanked the fire department staff for their work in planning Captain Carney's funeral service.

PAYMENT OF THE BILLS

Mr. Ferguson made a motion to pay the pending warrants in the amount of \$574,589.86.

Ms. Mollard seconded the motion. Vote: All Aye. (Resolution 22072002)

FISCAL OFFICE

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

There was discussion surrounding the new OneOhio Opioid fund. Mr. Collins reported that it appears as though the state has sent us the Plain Township, Stark County's share of the disbursements. He also reported that the State of Ohio is expected to receive 70% of the \$808 Million agreement and has to distribute the remaining 30% to local governments. Ms. Mollard inquired as to how the Township can use the funds. Mr. Collins said that there are a number of potential uses such as training and materials to combat opioid use, education, etc.

Mr. Ferguson made a Motion to pass Resolution No. 220720B1. WHEREAS, the Plain Township Board of Trustees adopted Resolution 210818A accepting the terms of the OneOhio subdivision settlement pursuant to the OneOhio Memorandum of Understanding

("MOU"), consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement; and

WHEREAS, Ohio reached an \$808 million agreement with the three largest distributors of opioids; and

WHEREAS, the State developed the OneOhio plan to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis; and

WHEREAS, the settlement agreement allocates 30% to local governments; and

WHEREAS, Plain Township, Franklin County, is estimated to receive approximately \$54,779 in total from the settlement distributed in annual installments over eighteen (18) years; and

WHEREAS, Auditor of State Bulletin 2022-003 requires that these funds be segregated in a separate fund to account for the receipt and expense of these funds by the Township; and

WHEREAS, the creation of said fund requires a Resolution adopted by the Board of Trustees.

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

SECTION 1. The Board of Trustees hereby authorizes and directs the Plain Township Fiscal Officer to create the One Ohio Opioid Settlement Fund ("the Fund").

SECTION 2. The Fund shall be used to record the receipt of OneOhio Opioid Settlement funds and used only for the approved purposes as required by the OneOhio MOU. No other monies shall be received to the credit of or deposited in the Fund.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Ms. Mollard seconded the Motion. Vote: All Aye

Ms. Mollard made a Motion to pass Resolution No. 220720B2.

Whereas, Plain Township adopted Resolution 220720B1 to establish the OneOhio Opioid Settlement Fund; and

Whereas, Plain Township's share of OneOhio Opioid Settlement is \$4,010.26 in fiscal year 2022.

Be it Resolved to certify an increase in receipts and appropriations in the OneOhio Opioid Settlement Fund (4904-000-00000) - Receipts by \$4,010.26 and Appropriations -Expenses- Other by \$4,010.26 and Transfers-Out by \$0.00.

Mr. Ferguson seconded the Motion. Vote: All Aye

Mr. Ferguson asked Mr. Durik what the City of New Albany's share of the OneOhio Opioid settlement was. Mr. Durik was unsure but Mr. Collins reported that it was approximately \$75,000.

OLD BUSINESS

Ms. Mollard spoke with Joe Stefanov regarding the pickleball courts. He asked Dave Wharton to look at the feasibility of having the courts at Thompson Park. It was determined that there is enough land at Thompson Park but there is no interest in putting the pickleball courts there. Mr. Stefanov mentioned there are maintenance challenges and heavy use of Thompson Park.

NEW BUSINESS

Ms. Mollard wanted to discuss Township communications. She met with Mr. Collins to discuss what the Township newsletters could look like moving forward. Ms. Mollard is interested in restarting the quarterly newsletter in some format. Mr. Collins stated that a letter similar to what the City of New Albany sends out costs approximately \$5000 per issue. Ms. Fee stated that there are only a few residents that actually read the newsletter. Ms. Mollard believes we have to have multiple ways of communicating township activities to the residents, not just using the website and social media.

EXECUTIVE SESSION

Mr. Ferguson made a motion to adjourn into executive session at 8:50 p.m. pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, demotion or dismissal. Ms. Mollard seconded the motion. Vote: All Aye

Mr. Zappitelli attended the Executive Session.

Mr. Ferguson made a motion to close out of executive session at 9:43 p.m. Ms. Mollard seconded the motion. Vote: All Aye

ACTION TAKEN:

Mr. Ferguson made a Motion to nominate Jill Beckett-Hill to the open Trustee position. Ms. Mollard seconded the Motion. Vote: All Aye

Mr. Ferguson recognized publicly all the candidates that showed interest in the open trustee position.

ADJOURNMENT

Mr. Ferguson made a motion to adjourn the meeting at 9:44 p.m. Ms. Mollard seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:


David Ferguson, Trustee


Kerri Mollard, Trustee


Bud Zappitelli, Fiscal Officer