

## **RECORD OF PROCEEDINGS**

### *Minutes of Meeting*

### Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 6:30 p.m. at the Plain Township 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, Kerri Mollard, and Jill Beckett-Hill. Others present: Fiscal Officer, Bud Zappitelli, Administrator Ben Collins, Chief Connor, Administrative/Zoning Coordinator Mary Fee, Maintenance Supervisor Bob Pharris, and Battalion Chief Dudley. Visitors present: Deputy Upton, Mark Bockrath, Ronald and Tamara Davies, and Annabel Spranger with FSWCD.

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

Ms. Mollard stated that she would have old and new business at the end of the meeting.

Mr. Ferguson requested an executive session for compensation, promotion, and employment after the Administrator's report.

### **APPROVAL OF MINUTES**

**Ms. Mollard made a motion to approve the October 18, 2023 Board of Trustees Meeting minutes as submitted. Mr. Ferguson seconded the motion. Vote: All Aye. Ms. Beckett-Hill abstained. (Resolution 23110101)**

### **CITY LIASON – MIKE DURIK**

Mr. Durik was not in attendance.

### **FRANKLIN COUNTY SHERIFF'S OFFICE – DEPUTY UPTON**

Deputy Upton reported back to the Board that he monitored speed on State Route 605 at Walnut Street and he did not notice anyone speeding. Since the speed is 50 mph there, he indicated that trucks may appear to be going faster.

Ms. Mollard also thanked Deputy Upton for being the Board meeting the night of the zoning hearing.

### **ANNUAL STORMWATER UPDATE-DAVID REUTTER AND NATHAN RALPH**

Annabel Spranger from Franklin Soil and Water attended the meeting in Dave Reutter and Nathan Ralph's absence. Annabel updated the Board on the programs they offer: Get Grassy

Lawn Care, Gardening for Clean Water, and Community Backyard. She also reported that a Plain Township landowner called about a natural swimming pond and offered to provide a plan review. Franklin Soil and Water has also provided three stormwater round tables and sent out a newsletter. They have also completed many inspections and their tree sale will be happening this winter.

Mr. Ferguson asked if Franklin Soil and Water still monitors the septic systems that discharge into the creeks. Annabel reported that the GIS teams go out and monitor these. She was unsure as to how many exist in Plain Township. Mr. Collins also stated that a grant funded study occurred back in 2010 regarding Blacklick Creek specifically that showed a number of areas discharging into waterways that the township would want to keep an eye on.

Ms. Mollard asked if there is anything from the Franklin Soil and Water department that can be sent out to residents to educate them on keeping the ditches on their property clear of debris to allow rain/storm water to flow. Mr. Collins reported that the township includes language in the newsletter about keeping that area free of leaves and debris.

### **OMH ADVISORS CEMTERY REVIEW**

Mr. Collins explained that Plain Township has an existing cemetery master plan that was adopted back in 2015. It is a 15-acre cemetery, in the heart of New Albany. The township has about 70 yeas of useful life left based on the average number of internments per year. OHM Advisors consulted on the Norwich Township cemetery project and Mr. Collins thought that OHM Advisors could provide some ideas for Plain Township.

Mr. Bockrath provided background on OHM Advisors. They are a local company with 650 employees. The corporate office is in Michigan but everything that they do in Ohio is done locally. He stated that OHM has previously worked with the City of New Albany and the New Albany Company, so they are familiar with the area. He provided the plans and designs of the Norwich Township cemetery that included non-traditional burials, reflection plazas, a labyrinth, a remembrance plaza, and many columbaria.

Mr. Bockrath reviewed the old designs for Maplewood Cemetery and he thought it was a good idea to revisit the design since it is several years old. There was discussion about moving the columbaria to a new location because the original would be located on fill material that would not handle the weight of the columbaria. Mr. Mollard stated that she is interested in all types of burial options, such as traditional, natural, and pet burials. Mr. Ferguson would like more information on the scattering garden option. Mr. Ferguson also asked why the township is interested in walking away from the original plans. Mr. Collins explained that the original company only works on the design components. OHM will design and bid out the specifications and serve as construction manager. Mr. Bockrath would like to schedule a future session to meet and discuss the township needs.

### **ADMINISTRATOR**

Mr. Collins reported that the Township has one year remaining on the SwimSafe contract. He will present a resolution at the next meeting. The resolution being presented tonight is for performance incentives that were included in the contract to ensure the pool management



company was committed to keeping the pool staffed through Labor Day. The reimbursement for lifeguard certification was to offset the cost of new lifeguard onboarding. Mr. Collins, Ms. Reife, and Mr. Pharris had a post-season review with SwimSafe to discuss areas for improvement. It was a successful pool season.

Mr. Collins has bid out the slide tower renovation project as a design/build project. He received no bids. Whitewater would not be able to complete the project by the Township's May 1, 2024 substantial completion date. Mr. Collins and Mr. Pharris met with Prime AE to look at the pool facility and slide tower and assess the condition. Prime AE does not have any concerns with moving forward with next pool season and delaying the slide tower renovation until fall of 2024. The township will need to rebid the work with a new substantial completion date.

Fire department overtime is at \$147,000 through 22 pay periods. Total for 2022 was \$215,000. Mr. Collins anticipates that the total overtime for 2023 will be \$175,000.

Mr. Collins also followed up on the OTARMA property coverage. For any one structure, the Township has up to the total valuation of just under \$11 million even though the structure might be valued under that.

Mr. Collins stated that the Township has been with Assured Partners as the HRA third-party administrator since 2018. There is a lot of work on the employee's part to process and submit their own claims. There is an opportunity for a new third-party administrator but they cannot meet the Township's current Chard Snyder HRA design. Mr. Collins explained that the Township usually has 97-98% participation from employees in earning their wellness credits. However, this year participation is closer to 65%. Therefore, Mr. Collins and Ms. Fee are working with the employees to get all their wellness credits entered before November 30.

**Ms. Beckett-Hill made a Motion to pass Resolution No. 231004A1. Be it resolved, to pay SwimSafe Pool Management, Inc., 107 Commerce Drive, Loveland, Ohio 45140, the amount of \$10,338.64 in performance incentives for the 2023 pool management contract, from fund 2171-610-53060 (Pool – Contracts). This amount includes \$100 each for 34 lifeguard certification reimbursements for lifeguards that worked at least 100 hours at Plain Township and a 3% contract incentive for fully staffing the facility throughout the season.**

**Remit to:  
SWIMSAFE POOL MANAGEMENT  
107 COMMERCE DR  
LOVELAND, OH 45140 US**

**Ms. Mollard seconded the Motion. Vote: All Aye.**

Prior to going into Executive Session, Ronald and Tamara Davies were in attendance and expressed concerns about the property next to them that was annexed into New Albany a few years ago. The property owners are in the final approval stage of building 151 homes on the 63 acres. The developer wants to build up the property from east to west to 8 feet higher than the

current grade and build a wall along their property line. The Davies are concerned about the wall, fencing, and drainage. They will follow up with Mr. Collins.

### **EXECUTIVE SESSION**

**Mr. Ferguson made a motion to adjourn into executive session at 7:40 p.m. pursuant to Ohio Revised Code 121.22 (G)(1) for compensation and performance discussion. Ms. Beckett-Hill seconded the motion. Vote: All Aye**

**Mr. Zappitelli also attended the Executive Session.**

**Mr. Ferguson made a motion to close out of executive session 8:36 p.m. Ms. Mollard seconded the motion. Vote: All Aye**

### **ZONING**

Mr. Collins will follow up with the Davies on Central College Road.

Mr. Collins received feedback from two members of the Zoning Commission that they were disappointed in the outcome of the Walnut Street rezoning application. They are considering resigning their post on the commission. Mr. Collins explained what happened between when the application was at the Zoning Commission and when it was finally approved by the Board of Trustees. If they were to resign, that leaves only two Zoning Commission members.

### **ROAD/MAINTENANCE**

Mr. Collins reported that the pool has been winterized and the fence repair has been completed. There were no funerals this week.

Mr. Collins also reminded the Trustees to stop by the Township office if they want to look at the floor in Suite B. Mr. Ferguson asked how much the tenant pays in rent. Mr. Collins reported that it is approximately \$3000 per month and utilities are shared.

Maintenance is getting all the snow and ice equipment out of storage in anticipation of the winter months.

### **FIRE DEPARTMENT**

Chief Connor reported that BC Dudley will apply for the Leadership New Albany program in 2024. Lt. Zierk is applying for the Ohio Fire Executive program.

Chief Connor also gave an update on the concrete project. The front apron is completed, and the back ramp has been started. Chief Dudley has the preliminary drawing for the generator project. The new fire suppression system has been installed and will be tested later in the week. The engine is in Millersburg getting a complete rebuild on the motor. It is expected to be back at the



Fire Station in two weeks. Assistant Chief Ecleberry has met with Horton for a final plan review on the new medic. Delivery is expected in the 2<sup>nd</sup> quarter of 2024.

Chief Connor plans to switch all the record-keeping software to ImageTrend. He is ready to present this information to the Trustees. Tyler Technologies is the new CAD and iPads have been ordered.

Chief Connor also discussed the Diversity training that took place the week before. Anti-harassment training will take place in a couple of weeks.

Chief Connor reported that Monroe Township's engine was involved in an accident two days ago at Fancher Road and State Route 62. They hit a car that pulled out in front of them. Everyone was okay but the engine has significant damage and will likely be out of service for six months. Plain Township offered the backup engine for Monroe Township to use but it will not fit in their building. They plan to use a tanker, which is not a fire engine and does not have certain types of equipment. Mifflin Township is loaning Plain Township their backup engine while Plain Township's is being fixed. And Plain Township just lent the third medic to Westerville Fire today.

Chief Connor and Chief Ecleberry wanted to publicly recognize Mr. Collins for all his hard work and the positive progress that the Fire Department has made in the past year.

**Mr. Ferguson made a Motion to pass Resolution No. 231101F1. Be it Resolved, that the Board of Trustees hereby authorizes to pay Haines Enterprises, LLC for motor repairs to engine rescue 121, in an amount up to \$32,437.96 to be paid out of fund 2111-220-58024 (Fire – Repairs-Non-Routine).**

**Haines Enterprises, LLC  
8952 Township Road 304  
Millersburg, Ohio 44654  
740-610-3349**

**Ms. Mollard seconded the Motion. Vote: All Aye.**

**Ms. Beckett-Hill made a Motion to pass Resolution No. 231101F2.**

**WHEREAS, the Ohio First Responder Recruitment, Retention, and Resilience Program was created to recognize Ohio first responders for their dedication to public safety and ongoing commitment to public service.; and**

**WHEREAS, the Ohio Emergency Management Agency First Responder Recruitment, Retention and Resilience program was also created to address first responder burnout caused by understaffing and overall job stress by granting funds to support the recruitment and retention efforts to restore workforce levels, onboarding, and training costs; and**

**WHEREAS, the Plain Township Fire Department has been awarded \$148,000.00 from the Ohio Emergency Management Agency First Responder Retention Incentives Grant; and**

**WHEREAS, the Plain Township Board of Trustees finds that the acceptance of the grant promotes the Plain Township Fire Department's Mission, Vision, and Values, is in the best interest of Plain Township, and is desirable for the welfare of the Township's government and affairs.**

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

**Section 1: That the Board of Trustees hereby accepts the Ohio EMA ARPA First Responders Retention Incentives Grant in the amount of \$148,000.00 for the Fire Department.**

**Section 2: That the Township Administrator is hereby authorized to sign any agreements and receive any other funds on behalf of Plain Township in connection with said grant.**

**Section 3: That the Fiscal Officer is directed to withhold any mandatory tax deductions from the grant award and to pay the 24% share of the Ohio Police and Fire Pension contribution from other appropriated funds.**

**Section 4. That this Resolution shall take effect and be in force from and after the date of its passage.**

**Ms. Mollard seconded the Motion. Vote: Mollard-Aye, Beckett-Hill-Aye. Ferguson-Abstained.**

Mr. Ferguson supports the grant acceptance but feels that the pension should be funded from the grant.

Chief Connor called other municipalities that are receiving the ARPA grant and reported that the City of Whitehall Fire Department is covering 30% of the pension, Genoa Township is paying 24%, Truro Township is paying the full 36.25%, and Clinton Township police is paying the employer portion of the pension.

### **PAYMENT OF THE BILLS**

**Mr. Ferguson made a motion to pay the pending warrants in the amount of \$809,649.14.**

**Ms. Beckett-Hill seconded the motion. Vote: All Aye. (Resolution 23110102)**

### **FISCAL OFFICE**

Mr. Collins presented the TIF money received from the City of New Albany. The TIF money is to reimburse the Township for Fire Levy millage and the Blacklick TIF is the one commercial TIF that is currently being returned to the Township. Property tax payments were flat this year. Revaluations will become official this December. The Township will receive an updated Estimate of Available Resources, but the effective millage will be reduced because of the higher valuations. However, Mr. Collins thinks the Township will see an increase in taxes next year. Mr. Collins also made a request to Mr. Stefanov at the City of New Albany to recover the TIFs that have been withheld from Township proceeds, such as the Village Center and the Technology TIF (Discover Card).



**Ms. Mollard made a Motion to pass Resolution No. 231101B1.**

**PLAIN TOWNSHIP BOARD OF TRUSTEES  
FRANKLIN COUNTY, OHIO**

**RESOLUTION NO. 231101B1**

**A RESOLUTION TO APPROVE TEMPORARY APPROPRIATIONS FOR 2024**

The Board of Trustees of Plain Township, Franklin County, Ohio, met in a regular session on the 1st day of November 2023, at the Plain Township Fire Station with the following members present:

David Ferguson  
Kerri Mollard  
Jill Beckett Hill

Kerri Mollard moved the adoption of the following Resolution: BE IT RESOLVED by the Board of Trustees of Plain Township, Franklin County, Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees, during the fiscal year, ending December 31st, 2024, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year, as follows, viz: That there be appropriated, from the VARIOUS FUNDS:

<b>RECAPITULATION OF FUNDS</b>	
<b>1 GENERAL FUND</b>	<b>\$2,012,180.65</b>
<b>SPECIAL REVENUE FUNDS</b>	
<b>10 FIRE DISTRICT FUND</b>	<b>\$10,385,244.27</b>
<b>11 ROAD DISTRICT FUND</b>	<b>\$355,105.05</b>
<b>2 MOTOR VEHICLE LICENSE TAX FUND</b>	<b>\$15,500.00</b>
<b>3 GASOLINE TAX FUND</b>	<b>\$549,350.00</b>
<b>5 CEMETERY FUND</b>	<b>\$197,463.97</b>
<b>23 PERMISSIVE MOTOR VEHICLE TAX</b>	<b>\$140,000.00</b>
<b>14 POOL FUND</b>	<b>\$496,669.60</b>
<b>28 EMS FUND</b>	<b>\$490,976.00</b>
<b>FUND TOTAL</b>	<b>\$12,630,908.89</b>
<b>DEBT SERVICE FUND</b>	
<b>16C POOL BOND RETIREMENT FUND</b>	<b>\$178,816.90</b>
<b>CAPITAL PROJECTS FUND</b>	
<b>21 CAPITAL IMPROVEMENT FIRE</b>	<b>\$810,800.00</b>
<b>21C CAPITAL IMPROVEMENT POOL</b>	<b>\$0.00</b>
<b>FUND TOTAL</b>	<b>\$810,800.00</b>
<b>FIDUCIARY FUND</b>	
<b>17A TRUST FUND-ULRY</b>	<b>\$0.00</b>
<b>17B TRUST FUND-MAUSOLEUM</b>	<b>\$0.00</b>
<b>FUND TOTAL</b>	<b>\$0.00</b>
<b>GRAND TOTAL OF ALL FUNDS</b>	<b>\$15,581,906.44</b>

David Ferguson seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

David Ferguson  
Kerri Mollard  
Jill Beckett Hill

Adopted November 1, 2023

Fiscal Officer, Board of Township Trustees

THE STATE OF OHIO, FRANKLIN COUNTY, ss:

I, Bud Zappitelli, Fiscal Officer of the Board of Trustees of Plain Township, Franklin County, Ohio, and in whose custody the Files, Journals and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Temporary Appropriation Resolution is taken and copied from the original Resolution now on file with said Board, that the foregoing Resolution has been compared by me with the said original and that the same is a true and correct copy thereof.

WITNESS my signature, this 1st day of November, 2023.

Bud Zappitelli  
Bud Zappitelli, Plain Township Fiscal Officer



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

### **NEW BUSINESS**

Ms. Mollard stated that when she attended the Meet the Candidates night, one of the candidates told Ms. Mollard that she heard the pool was moving. The rumor is that the schools are going to build a new school at the site of the pool. Mr. Ferguson has heard the same. Mr. Collins added that there is a council member that has conceptually suggested there be a Recreation district.

### **OLD BUSINESS**

Ms. Mollard opened for discussion the schedule for the 2<sup>nd</sup> meeting of the month. Ms. Mollard would like to go back to a 12pm meeting. Mr. Ferguson prefers to go back to the morning meeting at 7:15am. It was decided to move the 2<sup>nd</sup> meeting of the month to 8am.

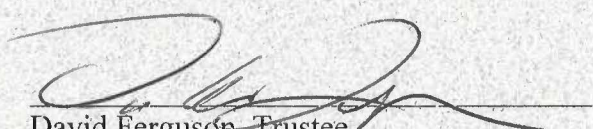
Ms. Beckett-Hill circled back to finalizing the Strategic Plan. Ms. Mollard is making edits to the Executive Summary and will send it out to the Board. Mr. Collins stated that the plan was to finalize the plan at the November 15<sup>th</sup> meeting. The Land Use plan is also scheduled to be discussed at the November 15<sup>th</sup> Board meeting.

It was decided to bring the Stakeholders back to the December 6<sup>th</sup> meeting to review the Strategic Plan at 5pm. And the final plan will be adopted at the December 12<sup>th</sup> meeting. The meetings in January will be on the 10<sup>th</sup> and the 24<sup>th</sup>.

### **ADJOURNMENT**

**Mr. Ferguson made a motion to adjourn the meeting at 9:41 p.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