

RECORD OF PROCEEDINGS

Minutes of Meeting

Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session at 8:00 a.m. at the Fire Station, 9500 Johnstown Road, New Albany, OH 43054.

Ms. Mollard called the meeting to order. Ms. Mollard 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: Administrator Ben Collins, Fiscal Officer Bud Zappitelli, Assistant Chief Ecleberry, Maintenance Supervisor Bob Pharris, and Finance Officer Courtney Rogers. Visitors present: Mike Durik and Matt Gauss

ADDITIONS OR CORRECTIONS TO THE AGENDA

None

PAYMENT OF THE BILLS

Ms. Mollard made a motion to pay the pending warrants in the amount of \$438,791.62.

Mr. Ferguson seconded the motion. Vote: All Aye. (Resolution 25101501)

APPROVAL OF MINUTES

Ms. Mollard made a motion to approve the October 1, 2025 Board of Trustees Meeting minutes with corrections. Mr. Ferguson seconded the motion. Vote: All Aye (Resolution 25101502)

NEW ALBANY CITY COUNCIL LIAISON – MIKE DURIK

Mr. Durik reported that city council met last week. There was a proclamation declaring October Hindu Heritage Month. The Diwali event is happening this Saturday.

City Council also approved a final plot plan for the Haines Creek development. It is for 56 units and should finish out a portion of that community.

A resolution was passed authorizing the amended joint operating agreement for the McCoy Center.

A large portion of the meeting was spent discussing ordinances related to e-bikes and scooters. Approximately 15 residents were in attendance to speak about the rise in e-bikes within the community. Mr. Durik explained that there are three classes of e-bikes. Class 1 and Class 2 are under 750 watts and have pedals for manual power. Class 3 bikes are 750+ watts with no pedals.

Within the State of Ohio, Class 3 bikes are considered motorcycles. A driver of a Class 3 motorbike must be 16 years of age, have a driver's license, and the bike must be registered. Class 1 and 2 bikes are slower and can be operated manually or with e-power. Ordinance changes that are being considered are speed limits on the shared paths, the bikes needing to be equipped with a horn or bell to announce themselves, mandatory helmets, reflectors or lights for night driving, the bikes will need to be registered, and an educational class at the high school will need to be completed. Golf carts will not be allowed on the walking paths. The city is also going to restrict use of the electric-power use of these bikes in certain areas of the city, i.e. Market Street and Taylor Farms Park. The city understands that the challenge will be enforcing these new rules. Mr. Durik indicated that there will be a lot of communication from the city once ordinances are voted on. Ms. Mollard mentioned that the city may want to specifically add an exemption for motorized wheelchairs to the motor vehicle restrictions.

ADMINISTRATOR

Mr. Collins reported that he is working with Ms. Reife on getting the annual pool survey out to residents. They will collect the feedback and report back to the Board. Mr. Collins expects to do the traditional report on the pool season at the first meeting in November.

Mr. Collins heard from the City of New Albany that they are working with the Google team on a sound field study. Mr. Collins is working with them on identifying suitable locations to gather the sound information. He strongly encouraged them to use Pine Meadow Drive. Mr. Collins stated that there is an interesting provision that is separate from the city's traditional general noise ordinance, and it references the average sound created at the street level of the nearest residential district. Mr. Ferguson asked if Mr. Collins knew what the city engineer's plans were to mitigate the noise. Mr. Collins did not know specifics but that the city is looking into options.

Mr. Collins reminded the Board that the Township typically attends a City Council meeting in the fall to give a township update. He asked the trustees to look at their schedule and report back with their availability. Ms. Beckett-Hill also asked the Board to put a school board meeting on the calendar.

Mr. Collins reported that EMS billing was up 7% over last year.

The Wreaths Across America event is coming up on December 13th. This year there are 606 veteran graves. In the past, after public donations, the township shared the balance with the City of New Albany. Mr. Collins stated that he reached out to QTS, a company that now has a footprint in New Albany, but he hasn't heard back. QTS sponsors an Arlington National Cemetery event, so Mr. Collins thought they might be interested in partnering with the township locally.

Ms. Mollard asked if the Haines Creek grading issue was resolved with the neighbor. Mr. Collins reported that it was such a dry summer, he did not receive any complaints. However, he does not think there was any significant change in the plan. Ms. Mollard also inquired about the emails regarding herbicide spraying. Mr. Collins reported that he continues to work with AEP on the issue.

Ms. Mollard continued the discussion around the Philanthropy Policy. She made changes to the draft that was presented at the last meeting. Mr. Collins found a donation policy from 2011. She

modified the new policy to include pool pass donations and the other items that were discussed at the last meeting. Mr. Collins stated that he wants to make sure the new policy includes any provisions from the 2011 policy and possibly reference that it supersedes any prior policies. Ms. Beckett-Hill feels that there needs to be more information regarding real estate. Mr. Ferguson feels that this should be used as guidelines versus a firm policy. Mr. Ferguson stated that the township, historically, has not made a lot of philanthropic donations, except for pool passes. The township has mostly invested in infrastructure (parks) and community assets like the McCoy Center. Ms. Mollard pointed out that she made a statement surrounding the Township's priorities for donations. Mr. Ferguson also brought up the fact that the Plain Township Fire Department has loaned out equipment and apparatus to other fire departments. Ms. Mollard asked the Board to read, review and send any suggested changes to her.

Ms. Beckett-Hill made a Motion to pass Resolution No. 251015A1.

WHEREAS, the *Joint Operating Agreement for the New Albany Performing Arts Center* was originally adopted in 2004 as a joint initiative by the Board of Education of the Plain Local School District ("School District"), the Village of New Albany ("New Albany"), the Board of Trustees of Plain Township ("Plain Township"), the New Albany Community Foundation ("Foundation"), and the Jeanne B. McCoy Community Center For the Arts Corporation ("McCoy Center") with a subsequent amendment in 2008 and 2016; and

WHEREAS, the parties have concluded that the Joint Operating Agreement requires amendment to clarify and restate certain provisions and to provide, among other objectives, a revised governing board structure and funding from the City of New Albany to the New Albany Community Arts Center.

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

- (1) The Third Amended and Restated Joint Operating Agreement for the New Albany Performing Arts Center attached to this Resolution is hereby adopted.**
- (2) Township Administrator Ben Collins is authorized to execute the Third Amended and Restated Joint Operating Agreement for the New Albany Performing Arts Center on behalf of the Plain Township Board of Trustees.**

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

Mr. Collins reported that there was a question about the treatment of current appointees to the McCoy board that were previously appointed by the foundation. Because of the re-composition of the board, some of those positions will be eliminated. One thought is that the current appointee might carry on until their current term ends or a second option would be for one of the remaining entities to appoint one of those members to a vacancy as it opens. The Township will have one vacancy January 1, 2026.

Mr. Ferguson made a Motion to pass Resolution No. 251015A2.

WHEREAS, The Plain Township Board of Trustees (the "Board") is the chief legislative body of Plain Township, Franklin County, Ohio (the "Township");

WHEREAS, Ohio Revised Code Section 505.707 permits a township board of trustees to appropriate from the township general revenue fund moneys not appropriated for any other purpose to an organization that the board determines serves a community purpose and that is exempt from federal taxation under subsection 501(a) and described in subsection 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended; and

WHEREAS, The New Albany-Plain Township Historical Society ("NAPTHS") is a 501(c)(3) that serves a community purpose by helping members of the community achieve an understanding of the area's history through the collection and preservation of artifacts, documents, and oral accounts. The NAPTHS is committed to preserving and documenting local history for future generations; and

WHEREAS, NAPTHS is in the process of raising revenue to fund a statute honoring Plain Township's only Gold Star veteran, Navy Corpsman Mike Butsko, who was killed in action in Vietnam; and

WHEREAS, the Gold Star Memorial Statue will be placed in the City of New Albany Veterans Memorial Park to be developed by the City of New Albany; and

WHEREAS, the Board believes that it is in the best interest of the Township and its residents to donate funds as set forth below to the NAPTHS to assist with the cost of the statue of Navy Corpsman Mike Butsko.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Board of Township Trustees of Plain Township, Franklin County, Ohio, that the following Resolutions be and hereby are adopted:

RESOLVED, that the Board hereby approves and appropriates from the Township General Revenue Fund \$20,000 to the NAPTHS, which the Board determines serves a community purpose and is exempt from federal taxation under subsection 501(a) and described in subsection 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. The donation of the \$20,000 is to be used solely for the costs associated with the statue honoring Plain Township resident Navy Corpsman Mike Butsko to be placed in the City of New Albany Veterans Memorial Park. This cost shall be paid from fund 1000-120-58099 (General – Twp Other Expenses).

BE IT FURTHER RESOLVED, that the Board hereby authorizes, empowers, and appoints, on behalf of the Board, Township Administrator Ben Collins, on behalf of the Township and, if necessary and/or desirable, to take any and all actions, so long as those actions are not inconsistent with this Resolution or adverse to the Township to carry out the donation to NAPTHS.

BE IT FURTHER RESOLVED, that the Board finds and determines 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 that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

BE IT FURTHER RESOLVED, that this Resolution shall be in full force and effect immediately upon its adoption.

Ms. Mollard seconded the Motion. Vote: All Aye

ZONING

Mr. Collins reported there was a Board of Zoning Appeals meeting last night. There were six variance hearings, mostly accessory structures, setbacks, and size/height issues.

Mr. Collins stated that he is still collecting a list of items to address if the Township decides to update its zoning text. He mentioned that one issue will likely be having live animals in the Township. There are a lot of families who want to have animals, such as chickens or goats. The Township currently has an active cattle farm on Bevelhymer Road, and there are some horse farms that are still active. Current zoning requires 5 acres for raising animals.

ROAD/MAINTENANCE

Mr. Pharris reported that maintenance staff are finishing up the last foundation for the year at the cemetery. The pool has been winterized; however, staff still needs to put up plywood. If the weather holds out, Mr. Pharris will try to get additional painting done at the pool. Mr. Pharris stated that SwimSafe is finished at the pool, so their final payment can be released. Mr. Collins mentioned that staff are still working with SwimSafe to understand the invoice for swim lessons. There were 54 hours of private swim lessons, but the township was invoiced for 120 hours of instruction.

Mr. Ferguson inquired about the right-of-way update in Mr. Pharris' report. Mr. Pharris explained that there are concrete repairs needed on the sidewalk behind the concession stand. Some areas can probably be repaired but there are parts that will likely need to be replaced. This land is currently owned by the Parks District. There are plans to adjust the right-of-way boundary so that the city will take over the street and the parking spots, but Mr. Collins does not know the timetable for that.

FIRE DEPARTMENT

Assistant Chief Ecieberry reported that he, Chief Connor, Mr. Collins, and Ms. Beckett-Hill continue to meet with Schorr Architects. Plans are moving forward.

The open house was this past weekend. The weather was terrific and the turn-out was good. Assistant Chief Ecieberry thanked the maintenance staff for all their hard work making the fire

station look nice. He also thanked the firefighters for providing food and working on their days off.

The PTFD is hosting a week-long Hazmat technician class starting October 27th. Six members of the department will attend the class and receive the certification at no cost.

The rescue engine is expected to arrive the first week of November. Training will be scheduled once Assistant Chief Ecleberry has a firm date. There will also be a dedication ceremony.

The resolution on the agenda is for repairs that were needed on Medic 122. The main control panel needed to be replaced.

Ms. Mollard asked about the timing of a press release to announce the SAFER grant award and the gift of land for Station 122. Mr. Collins thinks that these two things should be announced and communicated independently.

Ms. Beckett-Hill reported that the details of the donation of the land are still being worked out. The Township received an update from New Albany Company on the deed; however, the land has not officially been transferred yet. The Township is waiting to see how the easement reservation is going to be addressed. Mr. Collins stated that there is no certainty on when the transfer will be completed.

As for the SAFER grant, Chief Connor accepted the award but has not received any further communication from FEMA. Mr. Ferguson asked additional questions about the grant and if there are any limitations on how the funds are used. Mr. Collins stated that the grant provides funding for the employment of additional firefighters. There is a cost share to the Township. The first and second year, the grant provides 75% of funding. The 3rd year, the grant provides 35%. The grant's performance period begins March 23, 2026, and the Township has three years to use the money. If the Township were to delay the hiring of firefighters, that prorated share would be lost. Mr. Collins stated that the Township's intent would be to hire the firefighters for a late March 2026 start date, get them onboarded, learn the community and equipment, and be ready for assignments once the new station is open.

Ms. Beckett-Hill made a Motion to pass Resolution No. 251015F1. Be it resolved to approve payment to Atlantic Emergency Solutions in the amount of \$7,147.43 for repairs to Medic 122 out of fund 2111-220-58024 (Fire District-Repairs-Non-Routine).

Atlantic Emergency Solutions
48 Kfema Drive
Reynoldsburg, Ohio 43068

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

FISCAL OFFICE

The September 2025 Bank Reconciliation and Month-End reports were presented.

Mr. Zappitelli highlighted the fact that the Fiscal office opened a higher interest earning sweep account at Huntington. Ms. Rogers shared that she just transferred \$1M from Star Ohio to Huntington to pay for the new engine. Ms. Rogers also shared that the Township has not yet received the 2nd half TIF receipts from the City of New Albany. She expects them at the end of October or beginning of November. Mr. Collins stated that the Township has budgeted for \$2M in TIF receipts and has received \$1.1M in the first half.

Ms. Mollard had questions about some outstanding checks. One large check for the Hebron Youth softball league was for a cancelled pool party. Ms. Frye called the contact for this group and the customer indicated that she did in fact receive the check. Ms. Frye asked her to try to locate and cash the check before the Fiscal office must reissue. The fiscal office has had trouble reaching out to the owner of the outstanding check from 2023. Ms. Rogers also shared that Huntington charges \$35 to put a stop payment on a check before the fiscal office can reissue.

NEW ALBANY COMMUNITY FOUNDATION

Ms. Mollard shared that she is still waiting on the fully signed letter of transmittal for the new account.

NEW ALBANY PLAIN LOCAL SCHOOL BOARD

Ms. Beckett-Hill will not be able to attend next week's meeting. She will watch it online and report back.

ADJOURNMENT

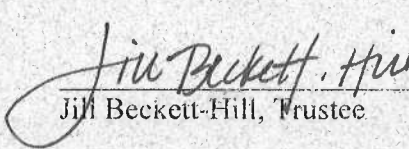
Ms. Mollard made a motion to adjourn the meeting at 8:54 a.m. Ms. Beckett-Hill seconded the motion. Vote: All Aye

BOARD OF TRUSTEES:

David Ferguson, Trustee



Kerri Mollard, Trustee



Jill Beckett-Hill, Trustee



Bud Zappitelli, Fiscal Officer