

RECORD OF PROCEEDINGS

Minutes of Meeting Plain Township Board of Trustee Meeting

The Plain Township Board of Trustees met in regular session by video/teleconference at 7:00 p.m.

Mr. Olmstead called the meeting to order with the Pledge of Allegiance to the flag.

Roll Call: Members Present: Tom Rybski and Dave Olmstead. Bud Zappitelli, Fiscal Officer, was present. Other people present were Ben Collins, Chief Rupp, Mike Durik, Bobby Pharris, Mary Fee, Bonnie Reife, Courtney Rogers, Deputy Upton, Debra Lowery, and Douglas Burnip. Mr. Ferguson was absent.

ADDITIONS OR CORRECTIONS TO THE AGENDA

Mr. Olmstead requested an executive session for purposes of employment. Mr. Collins added two administrative resolutions and one maintenance resolution. Resolution F1 was removed due to Mr. Ferguson's absence.

APPROVAL OF MINUTES

Mr. Rybski made a motion to approve the April 21, 2021 Board of Trustees Meeting minutes as submitted. Mr. Olmstead seconded the motion. Vote: All Aye. (Resolution 21050501)

PAYMENT OF THE BILLS

Mr. Olmstead made a motion to pay the pending warrants in the amount of \$251,099.49. Mr. Rybski seconded the motion. Vote: All Aye (Resolution 21050502)

Mr. Olmstead made a motion to adopt Resolution No. 210505A1

A RESOLUTION OF COMMENDATION

WHEREAS, RON LACHEY has served as a member of the Rocky Fork Blacklick Accord Panel representing Plain Township since August 6, 2008; and

WHEREAS, RON LACHEY has served faithfully and dutifully on the Rocky Fork Blacklick Accord Panel for over twelve years;

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

That **RON LACHEY** be recognized for outstanding service as a member of the Rocky Fork Blacklick Accord Panel representing Plain Township, and that on behalf of the citizens of Plain Township, as well as for ourselves individually, we wish to express our sincere appreciation and gratitude for his contributions to the township and the community.

Mr. Rybski seconded the motion to adopt Resolution No. 210505A1. Vote: All Aye

CITY LIAISON – Mike Durik

Mr. Durik reported that the Council met last night and recognized Police Week with several officers and the chief present. The police department is the highest rated service of the city. The Council approved funding for Ganton Parkway and gave authorization to move forward with bids for the road extension. The bid process was also approved for the State Route 62 and 161 interchange from Smith's Mill Road to the Fire Station. A bike trail, as well as a walking path, will be included. The intersection of Zarley Road and State Route 62 will be modified to make it safer. The 4th of July celebration will entail a parade and fireworks on July 3rd. The football stadium will not be open for viewing of the fireworks, and a decision on having the festival has not yet been made. Lastly, the City Council approved to move the Mayor's Court from New Albany to Gahanna. The City of New Albany will have a shared service agreement enabling procedures to be simplified.

ADMINISTRATOR

Mr. Collins reported that pool memberships are currently 50% of previous years. Residents are requesting that the early discounted rates be extended from the end of April until the end of May.

Mr. Collins also reported that 38 acres on the Southwest corner of Walnut and Bevelhymer Road are expected to be annexed from Plain Township to the City of New Albany. It has already been approved by the County Commissioner and will proceed next to the New Albany City Council. A portion of the property may have age restrictions.

Mr. Collins is still working on the language to finalize SWACO's recycling contract. Approximately \$12,000 will be billed to the Township for the trash generated by the Township's facilities. It is possible that this cost could be offset by American Rescue Plan funding if Ohio townships are included in the Covid-19 relief plan.

The cemetery and maintenance pavements are having significant failures with a portion of the South Drive remaining under water from grading and elevation issues. \$23,500 from the general fund is needed to pay for the repairs. Mr. Olmstead expressed concern over the cost in

conjunction with the pool expenses which are expected to be higher this year. He would like to approve the resolution for the pavement repairs with the option to postpone them if necessary.

Four people have expressed interest in the vacancy on the Joint Parks Recreation Board. Discussion will await until Mr. Ferguson is in attendance.

The pool has been filled and we are ready from an operational standpoint for it to open. The number of swim sessions needs to be finalized, and members are voicing their preference for two. There will be no swim lessons, pool rentals or camps this year due to the social distancing requirement. Birthday parties will be limited to 10 people. We have \$108,000 in revenue and \$117,000 in expenses to date. We are expecting \$20,000 to \$30,000 in May memberships.

Currently, the Board is scheduled for virtual meetings through July 1st. Mr. Collins noted that legislation may extend this through December 2021. Mr. Rybski would like to return to at least some in-person meetings with safety precautions.

Mr. Olmstead made a motion to extend the pool membership discounted rate through the end of May 2021. Mr. Rybski seconded the motion. Vote: All Aye.

Mr. Olmstead made a motion to pass Resolution No. 210505A2.

**A RESOLUTION TO AUTHORIZE A CONTRIBUTION TO THE NEW ALBANY
COMMUNITY FOUNDATION IN ORDER TO FUND CAPITAL REPAIRS AND
REPLACEMENTS NEEDED FOR THE MCCOY CENTER FOR THE ARTS
ACCORDING TO THE SECOND AMENDED AND RESTATED JOINT OPERATING
AGREEMENT OF THE NEW ALBANY COMMUNITY ARTS CENTER**

WHEREAS, Ohio Revised Code § 510.707 authorizes a board of township 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, Plain Township has entered into the Second Amended and Restated Joint Operating Agreement for the New Albany Community Arts Center (hereinafter referred to as the "Operating Agreement"), which provide in Section 8.3 that each Owner shall annually deposit in the same proportion as their ownership provided in Section 3.2 the dollar amount necessary to fund the Capital Repair and Replacement Fund of the McCoy Center for the Arts; and

WHEREAS, Section 8.3 of the Operating Agreement provides that the Capital Repairs and Replacements funding from each owner will be deposited into a separate Capital Repair and Replacement Account maintained and managed by the New Albany Community Foundation; and

WHEREAS, in accordance with Section 6.6 of the Operating Agreement, the Board of Education of the New Albany - Plain Local School District has, in cooperation and consultation with the City, the Township, the community Foundation and the Board of Directors, prepared a Five-Year Capital Repairs, Replacements, and Improvement Plan, which includes, by category, budgeting for Capital Repairs/Replacements and for Capital Additions or Improvements; and

WHEREAS, the Owners have reviewed and approved the Five-Year Capital Repairs, Replacements, and Improvement Plan as presented.

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

- Section 1.** That the New Albany Community Foundation is determined to be an organization that 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, as amended; and
- Section 2.** That the funds contributed to the New Albany Community Foundation for the Capital Repairs/Replacements of the McCoy Center for the Arts will serve a community purpose; and
- Section 3.** That the amount of \$24,885.00 be set aside and paid to the New Albany Community Foundation from fund 1000-610-58003 (NA Comm Fdn-Perf.Arts-Capital Fund Donation), for the purpose of funding Plain Township's proportionate share of the McCoy Center for the Arts Capital Repairs and Replacements according to Section 8.3 of the Second Amended and Restated Joint Operating Agreement for the New Albany Community Arts Center.
- Section 4.** That this Board of Trustees finds and determines that all formal actions of this Board concerning this legislation were taken in an open meeting of this Board, all in compliance with Ohio law including Section 121.22 of the Ohio Revised Code.
- Section 5.** That this Resolution is declared to be in full force and effect from and after the earliest period allowed by law.

Mr. Rybski seconded the motion. Vote: All Aye

Mr. Rybski made a motion to pass Resolution No. 210505A3. Be it resolved, to authorize payment to Columbus Pool Management, Inc., 8852 Whitney Dr. Lewis Center, OH 43035, according to the 2019 three-year contract entered into by way of Resolution 190306A2 in the amount of \$219,975 for the 2021 season.

Be it resolved, to set aside and pay the June pool management payment in the amount of \$54,994 from fund 2171-610-53060 (Pool – Contracts) according to the attached schedule.

**Remit to:
Columbus Pool Management, Inc.
4495 Keheley Drive
Marietta, GA 30066**

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Rybski made a motion to pass Resolution No. 210505A4. Be it resolved, that the Plain Township Board of Trustees hereby approves the enrollment of all Plain Township facilities and electric utility accounts with AEP Energy, Inc. at a rate of \$0.04780 per kWh or better and authorizes the township administrator to enter into such an agreement with AEP Energy, Inc. for a period of 36 months with an anticipated start of July 2021 and ending June 2024. Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 210505A5. Be it resolved, that the Plain Township Board of Trustees hereby approves the enrollment of all Plain Township facility accounts for natural gas supply with Infinite Energy at the rate of \$0.3880 per CCF or better and authorizes the township administrator to enter into such an agreement with Infinite Energy for a period of 36 months to begin with the November 2021 billing cycle and continue through the October 2024 billing cycle, or as soon after as possible.

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

ZONING

Mr. Collins reported that the Board of Zoning Appeals remains very active this year with a couple of hearings scheduled later this month. Franklin County Public Health visited the Morse Road property twice and did not find any violations. The trash debris was due to the disruption in trash collection. The service has been reinstated and trash is being collected.

ROAD/MAINTENANCE

Mr. Pharris reported that the pool was filled, and he and his staff are very busy with mowing. A seasonal worker starts on Monday which will be helpful. The foundations at the cemetery have been completed.

Mr. Rybski made a motion to pass Resolution No. 210505M1. Be it Resolved: To pay the Franklin County Engineer's Office, an amount not to exceed, \$47,000.00 for maintenance and repairs of unincorporated township roads, with \$20,000.00 to be paid out of 2141-330-53060 Roads – Contracts and \$27,000 to be paid out of 2021-330-53060 Gasoline Tax – Contracts.

Mr. Olmstead seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 210505M2. Be it Resolved: To pay the Franklin County Engineer's Office, an amount not to exceed, \$32,000.00 for pavement repairs and replacement at Maplewood Cemetery, to be paid out of the following funds:

\$27,000.00 General – Cemetery-Improvement of Sites 1000-410-58030

\$5,000 Roads – Contracts 2141-330-53060

Mr. Rybski seconded the motion. Vote: All Aye

Mr. Olmstead made a motion to pass Resolution No. 210505M3. Be it resolved to authorize and pay Jason Piper to pour footers at Maplewood Cemetery up to \$10,000.00 out of fund 2041-410-58099 (Cemetery – Other Expenses).

Mr. Rybski seconded the motion. Vote: All Aye

FIRE DEPARTMENT

Chief Rupp reported that there were 26 Fire runs and 56 EMS runs since the last Board of Trustees meeting. Pillar Fire Protection let Chief know that the city approved the permit to proceed with replacing the fire alarm system. The project will begin next Tuesday.

There was discussion regarding vehicles. The sale of the grass truck may bring \$7000 to \$9000 and these proceeds may be used to purchase a tank for the UTV. The fuel pumps on the medic are failing. They could possibly increase the filter, but this won't prevent the pumps from failing.

The buying versus leasing of turnout gear, which has a ten-year life, was discussed. Currently, three sets are being leased for the part-time firefighters.

Chief Rupp spoke about hiring a chaplain. He plans to advertise for the position, and have another chaplain help with the interview process and make a recommendation to the Board. Mr. Olmstead suggested the chaplain be trained as a crisis counselor as well so he could serve both the fire staff and the community.

Lastly, radio reception at the amphitheater was discussed. Chief Rupp explained that attention to radio reception started after 9/11 and began to enter fire and building code. New and remodeled buildings are tested for the strength of radio waves into the structure. The amphitheater was divided into 20 sections and 6 sections failed; another 3 were in mediocre range. Further testing will be done.

FISCAL OFFICE

Mr. Zappitelli stated that the credit card statement is available for review and that there is a resolution to transfer funds for the pool.

Mr. Rybski made a motion to pass Resolution No. 210505B1. Be it Resolved: To transfer \$10,718.00 from the General Fund Transfer-Out line (1000-110-59010) to the General Bond Retirement - Pool Fund Transfer-In line (3101-000-49031).

And be it resolved: To pay Chase for the Pool Bond Payment in the amount of \$10,718.00 out of General Bond Retirement-Pool-Interest (3101-610-56030).

Mr. Olmstead seconded the motion. Vote: All Aye

OLD BUSINESS

None

NEW BUSINESS

Mr. Olmstead advised that Todd Bemis at CAPA retired at the beginning of the year, but came back to help. He is now truly retiring and a party in his honor will take place on May 13, 2021. Mr. Olmstead thanked Mr. Zappitelli for speaking with Julian and Grube.

EXECUTIVE SESSION

Mr. Olmstead made a motion to adjourn into executive session at 8:11 p.m. pursuant to Ohio Revised Code 121.22 (G)(1) for appointment, employment, promotion or compensation, demotion or dismissal. Mr. Rybski seconded the motion.

Roll Call Vote: All Aye

**Mr. Zappitelli, Mr. Collins, and Chief Rupp attended the Executive Session.
Mr. Olmstead made a motion to close out of executive session at 8:38 p.m. Mr. Rybski
seconded the motion. Roll Call Vote: All Aye**

ADJOURNMENT

**Mr. Rybski made a motion to adjourn the meeting at 8:39 p.m. Mr. Olmstead seconded the
motion. Vote: All Aye**

BOARD OF TRUSTEES:

David Ferguson, Trustee

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Dave Olmstead

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Dave Olmstead, Trustee

DocuSigned by:

Tom Rybski

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Thomas Rybski, Trustee

DocuSigned by:

Bud Zappitelli

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Bud Zappitelli, Fiscal Officer