

2600 Easton St. NE
Canton, OH 44721

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March 09, 21

REGULAR MEETING

OPENING: The regular meeting was called to order at 6:00 p.m. President Scott Haws led the pledge of allegiance.

ATTENDANCE: John Sabo, Brook Harless, Scott Haws, Eric Williams, Lisa Campbell, Chief Shalenberger, Joe Iacino, Rob Steinberg, Thomas Ferrara(excused), and Thomas Wolf. Media present: none

AGENDA: The agenda was presented and accepted.

SHERIFF'S REPORT:
1. Monthly Report

UNFINISHED BUSINESS:
1. none

NEW BUSINESS:
1. none

FISCAL OFFICER'S REPORT:

1. Pending Warrants
#21-106 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of pending warrants in an amount of \$ 330,913.03 as attached hereto and made a part of these minutes.
Seconded by Mr. Sabo.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

2. Regular Payroll
#21-107 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the regular payroll in an amount not to exceed \$250,000.00.
Seconded by Mrs. Harless.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

3. Medical Claims
#21-108 Motion by Mrs. Harless,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment for the following medical claims as provided by Aultcare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
02/26/21	44820	\$13,027.23
03/05/21	44829	\$ 8,957.60

Seconded by Mr. Sabo.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

4. Financial Report
The financial report was presented and accepted.

5. Tina Biehl – Deputy Fiscal Officer
#21-109 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Tina Biehl as Deputy Fiscal Officer pursuant to Ohio Revised Code, certify this position to the Stark County Treasurer effective April 1, 2021.
Seconded by Mr. Sabo.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

6. Transfer of Funds
#21-110 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following transfers:

FROM	TO	AMOUNT
Admin		
01-B-02 – Improvement of Sites	01-A-28C – Contracts -Planing Consult	\$ 27,000.00

#21-111
 Seconded by Mrs. Harless.
 Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.
 7A Amended Certificate – Fire District
 Motion by Mr. Haws,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Fiscal Officer to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for \$375,000.00:

10 – Fire District	\$ 375,000.00
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AND BE IT HEREBY FURTHER RESOLVED, by the Plain Township Board of Trustees, upon certification by the Stark County Auditor to appropriate these funds as follows:

10-A-08 – Tools & Equipment	\$ 375,000.00
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#21-112
 Seconded by Mrs. Harless.
 Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.
 7B Amended Certificate – Capital Reserve Accounts
 Motion by Mr. Sabo,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Fiscal Officer to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for \$375,000.00:

21P – Fire Accum Benefits	\$175,000.00
21Q – Fire Levy Resv Balance	200,000.00

AND BE IT HEREBY FURTHER RESOLVED, by the Plain Township Board of Trustees, upon certification by the Stark County Auditor to appropriate these funds as follows:

21-A-02P – Accum Benefits - Fire	\$ 175,000.00
21-A-02Q – Fire Reserve Balance	200,000.00

#21-113
 Seconded by Mr. Haws.
 Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.
 8. Liquor Permit – Las Penas Mexican Restaurant
 The sheriff Department had no concerns and the Board does not request a hearing.
 9. EMS Refund
 Motion by Mr. Haws,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a refund as follows for overpayments for Emergency Medical Services as requested by Ohio Billing Inc.:

Summa Commercial/3620 (Sowers, Michaela J.)	\$250.00
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#21-114
 Seconded by Mrs. Harless.
 Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.
 10. Retirement – Luther Russert, Finance Director
 Motion by Mr. Haws,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, **Stark County, Ohio, to accept Luther Russert’s “Letter of Retirement”** after over 13 years of service with Plain Township effective March 31, 2021.
 Seconded by Mr. Sabo.
 Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

ADMINISTRATOR:

1. Service Agreement with Staley Technologies

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#21-115 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached yearly Radio Contract service agreement with Staley Technologies in the amount not to exceed \$4,572.00 and to be paid from fund #09-A-10.
Seconded by Mrs. Harless.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

FIRE DEPARTMENT:

1. Monthly Report
2. Payment to Howell Rescue Systems for SCBA Equipment Utilizing the 2019 FEMA Grant Monies

#21-116 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment of the funds received from the 2019 Fema Grant for SCBA and misc. equipment to Howell Rescue Systems in the amount not to exceed \$271,328.40 to be taken from account #10-A-08.
Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-117 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment for Firefighter Personal Protective Equipment: Hoods, Gloves, Boots, fire gear & misc. from Atlantic Emergency Solutions in the amount not to exceed \$65,000.00 to be taken from Account #10-A-09G.

Seconded by Mrs. Harless.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-118 Motion by Mr. Haws,
WHEREAS, Ohio Revised Code §5705.13, permits political subdivisions to establish, via resolution, a fund for the purpose of accumulating resources for the payment of accumulated sick leave, vacation leave, payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision. The special revenue fund may also accumulate resources for the payments of salaries during any fiscal year when the number of pay periods exceeds the usual and customary number of pay periods;

WHEREAS, the Plain Township Trustees established a Reserve Balance Account (21H) for the above described purposes on March 8, 2016 (Res #16-121) for a period of 5 years and a balance of \$175,000 remains in the account;

BE IT HEREBY RESOLVED, to close this fund and transfer the remaining funds back to the originating Fire District Fund 10;

BE IT FURTHER RESOLVED; that the Plain Township Fiscal Officer shall hereby be authorized to certify the transfer of the funds back into the Fire District Fund, account 10-A-08 Tools & Equipment and to certify this transfer to Stark County Auditor and the Auditor of the State of Ohio.

Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-119 Motion by Mr. Sabo,
WHEREAS, Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a fund for the purpose of the Stabilization of Subdivision Budgets against cyclical changes in

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revenues and expenditures;
WHEREAS, the Plain Township Trustees established a Reserve Balance Account (21J) for the above-described purpose on March 8, 2016 (Res #16-123) for a period of 5 years and a balance of \$200,000 remains in the account;

BE IT HEREBY RESOLVED, to close this fund and transfer the remaining funds back to the originating Fire District Fund 10;

BE IT FURTHER RESOLVED that the Plain Township Fiscal Officer shall hereby be authorized to certify the transfer of the funds back into the Fire District Fund, account 10-A-08 Tools & Equipment and to certify this transfer to Stark Count Auditor and the Auditor of the State of Ohio.

Seconded by Mrs. Harless.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-120

6. Capital Fire Accum Benefits Reserve Fund 21P

Motion by Mr. Haws,

WHEREAS, Ohio Revised Code §5705.13, permits political subdivisions to establish, via resolution, a fund for the purpose of accumulating resources for the payment of accumulated sick leave, vacation leave, payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision. The special revenue fund may also accumulate resources for the payments of salaries during any fiscal year when the number of pay periods exceeds the usual and customary number of pay periods;

WHEREAS, the Plain Township Trustees wishes to establish a Reserve Balance Account for the above described purposes;

BE IT HEREBY RESOLVED; that pursuant to attached ORC Section 5705.132, we hereby establish a Reserve Balance Account as follows:

1. Establish a Reserve Balance Account used to accumulate currently available resources in the Fire Levy Fund for the **cost of future employee’s salaries, benefits and other related costs.**
2. Authorize the transfer of \$175,000.00 from Account 10-A-08 Tools & Equipment to be deposited in a special fund for **Fire Department future employee’s salaries, benefits and other related costs** named Fire Levy Additional Reserve Balance Account Fund 21P which said reserve balance account will continue for five (5) fiscal years, commencing March 9, 2021, and shall be established, maintained and the monies therein to be invested by the Township Fiscal Officer.
3. The account the funds shall be deposited into is 21-A-02P Fire Accumulative Benefits Reserve Acct.

BE IT FURTHER RESOLVED; that the Plain Township Fiscal Officer shall hereby be authorized to certify the establishment of the Fire Accumulative Benefits Reserve Acct to the Stark County Auditor and to the Auditor of the State of Ohio.

Seconded by Mrs. Harless.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-121

7. Capital Fire Levy Stabilization Fund 21Q

Motion by Mr. Haws,

WHEREAS, Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a fund for the purpose of the Stabilization of Subdivision Budgets against cyclical changes in revenues and expenditures;

WHEREAS, the Plain Township Trustees wishes to establish a Reserve Balance Account for the above-described purpose;

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BE IT HEREBY RESOLVED, that pursuant to ORC Section 5705.1(A)(1), we hereby establish a Reserve Balance Account as follows:

- 4. Establish a Reserve Balance Account to accumulate currently available resources in the Fire Levy Reserve Fund for the purpose of stabilizing the Fire Department Budget against cyclical changes in revenue and expenditures.
- 5. Authorize the transfer of \$200,000.00 from the Fire District Fund 10 to be deposited in a special fund for the Fire Department operating purposes named Fire Levy Reserve Balance Account Fund 21Q, which said Reserve Balance Account will continue for five (5) fiscal years, commencing March 9, 2021, and shall be established, maintained and the monies therein to be invested by the Township Fiscal Officer.
- 6. The account the funds shall be deposited into is 21-A-02Q Fire Levy Reserve Balance Account.

BE IT FURTHER RESOLVED that the Plain Township Fiscal Officer shall hereby be authorized to certify the establishment of the Fire Levy Additional Reserve Balance Account to the Stark Count Auditor and the Auditor of the State of Ohio.

Seconded by Mrs. Harless.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-122 8. Payment to Tekton Engineering for Architectural Fees
Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize for the purchase and payment to Tekton Engineering for architectural fees inclusive of: bid/permit drawings, plans and misc. for the new addition to the Fire Storage building located at 2855 Easton Street per the attached quotes in the amount not to exceed \$16,674.00 to be taken from Account #21-A-02O.

Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

#21-123 9. Payment to Western Branch Diesel for Repairs to the Tower Truck Generator
Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment for the labor and repairs to the Generator in Tower #1 by Western Branch Diesel, in an amount not to exceed \$3,800.00 from account #10-A-10B.

Seconded by Mrs. Harless.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

ROAD DEPARTMENT:

- 1. Monthly Report
- 2. Hire Daniel Boschini as Full Time Mechanic Contingent passing Pre-Employment Testing

#21-124 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to hire Daniel Boschini as a full-time mechanic to be paid commensurate with current union wage rates, effective March 15th, 2021, contingent upon a successful pre-employment drug and alcohol test and a physical examination. In addition, as per the collective bargaining agreement with Local 561 of The Utility Workers of America, Daniel Boschini shall **successfully complete a one year's probation period.**

Seconded by Mr. Sabo.

Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

3. Hire Jacob Cummings as Full Time Operator/Laborer IV
Contingent passing Pre-Employment Testing

#21-125 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to hire Jacob Cummings as a full-time Operator/Laborer IV to be paid commensurate with current union wage rates, effective March 15th, 2021, contingent upon a successful pre-employment drug and alcohol test and a physical examination. In addition, as per the collective bargaining agreement with Local 561 of The Utility Workers of America, Jacob Cummings shall **successfully complete a one year’s probation period.**
Seconded by Mrs. Harless.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

4. Purchase of Gasoline, Oil and Diesel Fuel from McIntosh Oil

#21-126 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of gasoline, oil, and diesel fuel from McIntosh Oil at a cost not to exceed \$25,000.00 from fund 03-A-05A Fuel and Oil.
Seconded by Mrs. Harless.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

ZONING DEPARTMENT:

- 1. Monthly Report

PARKS DEPARTMENT:

- 1. Monthly Report
- 2. Payment to Central Farm and Garden for Ball and Sports Field Supplies

#21-127 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve payment to Central Farm and Garden, Inc. for the purchase of baseball field maintenance material in an amount not to exceed \$10,751.35 to be taken from Fund # 14-A-06B and Fund #14-A-05C.
Seconded by Mrs. Harless.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

3. Restroom Layout

#21-128 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to accept the design/layout proposal from Tekton Engineering and authorize the Parks director to move forward with the next steps of the project.
Seconded by Mrs. Harless.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

4. Vasco Tennis Court Repair

#21-129 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve the purchase of and authorize payment to Vasco Sports Contractors for the repair of cracks in three tennis courts at Al Leno Community Park in an amount not to exceed \$6,767.00 to be taken from Fund # 01-F-02.
Seconded by Mr. Haws.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

LAW DIRECTOR:

None.

COMMUNICATIONS:

None.

PUBLIC SPEAKS:

Jim Wenger of 3608 26th St NW, Canton, Ohio addressed the Board

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disputing a \$25 dog citation. The evidence presented was not sufficient to have the fee waived.

CONCERNS OF TRUSTEES:

None.

CONCERNS OF FISCAL OFFICER:

None.

APPROVAL OF MINUTES:

#21-130 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the reading of the minutes of the regular meeting held February 23, 2021 and make them part of the record as if read in their totality; and
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the minutes of the regular meeting held February 23, 2021 as presented.
Seconded by Mrs. Harless.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

#21-131 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the reading of the minutes of the special meeting held March 1, 2021 and make them part of the record as if read in their totality; and
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the minutes of the special meeting held March 1, 2021 as presented.
Seconded by Mr. Sabo.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

EXECUTIVE SESSION:

#21-132 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:39 p.m. from this regular meeting of March 9, 2021 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
1. (f) compensation of a public employee or official
4. preparing for, conducting or reviewing negotiations or bargaining sessions with public employees
Seconded by Mr. Sabo.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

#21-133 Motion was made by Mr. Haws to return to public session at 8:22 p.m.
Seconded by Mr. Sabo.
Vote: Mrs. Harless, yes; Mr. Sabo, yes; Mr. Haws, yes.

ADJOURNMENT:

#21-134 Motion by Mr. Haws,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 8:23 p.m.
Seconded by Mr. Sabo.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mrs. Harless, yes.

John A. Sabo
Trustee

Brook Harless
Trustee

Scott Haws
Trustee

ATTEST: _____
Thomas W Wolf
Fiscal Officer