

2600 Easton St. NE
Canton, OH 44721

Aug 3,

2022

REGULAR MEETING

Work
Session

OPENING: The regular meeting was called to order at 6:00 p.m.

PUBLIC HEARING:

ATTENDANCE:

Scott Haws, John Sabo, Brook Harless, Chief Shalenberger, Eric Williams, JP Neff, Rob Steinberg and Thomas Wolf. Lisa Campbell (Thomas Ferrara is excused-has a zoning meeting)

Media: None

AGENDA: The agenda stands as edited. – Addition – Law Director – Continuing Litigation

SHERIFF'S REPORT:

UNFINISHED BUSINESS:

1. Payment to Austin Drain for Township Hall Flooring

#22-399

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to, Austin Drain Cleaning, for installation of vinyl plank flooring, for the Township Hall hallway and to be paid from fund number, #1000-110-500-0000, not to exceed \$4,2000.00.

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

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

2. Payment to Sol Harris/Day

#22-400

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to Sol. Harris/Day Architecture, Inc., for professional services for the Plain Township Amphitheater, in the amount not to exceed \$22,000.00, and to be paid from fund #, 2273-190-360-0000, Contracted Services.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

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

3. Agreement with the Stark County Commissioners

#22-401

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached agreement between the Stark County Commissioners and Plain Township for the operation and maintenance of 3 stream gages and 1 precipitation gage for the Nimishillen Creek Drainage Basin not to exceed \$5,250.00, to be taken from fund # 1000-110-500-0000.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

NEW BUSINESS:

1. Baker, Dublikar/Outside Representation

#22-402

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Baker, Dublikar, for representation in outside litigation for Plain Township, and the

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services rendered to be paid from fund, #1000-110-311-0000.
Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-403

2. Application to the MWCD

Motion by Mr. Sabo,

WHEREAS, the Muskingum Watershed Conservancy District, administers financial assistance for conservation purposes through the Partners in Watershed Management **Project Assistance Program (“PWM”); and**

WHEREAS, the Plain Township Board of Trustees desires financial assistance under PWM for the purchase and protection of approximately 19.79 acres; and

WHEREAS, **the Board of Trustees of the Township intend to fulfill PWM’s objective of** conservation and flood control; and

WHEREAS, the proposed project is located entirely in Stark County and situated in Plain Township along Schneider Street and east of Veterans Park; and

WHEREAS, **preservation of this parcel will protect the property’s wetland resources; and**

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Plain Township, County of Stark, State of Ohio:

1. That the Board of Trustees approves filing this application for financial assistance.
2. That the Chair or any Trustee designated by the Chair is hereby authorized and directed to execute and file an application with the Muskingum Watershed Conservancy District and to provide all information and documentation required to become eligible for possible funding assistance.

That the Board of Trustees is authorized to enter into any agreements as may be necessary and appropriate for obtaining the financial assistance

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

FISCAL OFFICER’S REPORT:

#22-404

1. Pending Warrants

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 \$ 469,581.05 as attached hereto and made a part of these minutes.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

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#22-405 2. Regular Payroll
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
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes.

#22-406 3. Medical Claims
Motion by Mr. Sabo,
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 Mutual Health
Services and Aultcare:

| DATE | WARRANT | AMOUNT |
|----------|-----------|-------------|
| 07/15/22 | 1854-2022 | \$ 9,611.56 |
| 07/19/22 | 1993-2022 | \$ 43.88 |
| 07/25/22 | 1855-2022 | \$ 1,043.21 |
| 07/25/22 | 1994-2022 | \$ 435.85 |
| 07/29/22 | 1990-2022 | \$42,982.48 |
| 07/29/22 | 1991-2022 | \$ 7,569.23 |

Seconded by Mr. Haws
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-407 4. Investment Report
5. Set Alternative 2023 Tax Budget Hearing
Motion by Mr. Haws.
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio
to set a public hearing for the 2023 Alternative Tax Budget on August 17, 2022, at 12:00
PM. And to further authorize the Plain Township Fiscal Officer to publish a notice of the
Public Hearing in the Repository at least ten days prior to the hearing.

Seconded by Mrs. Harless
MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

#22-408 6. Liquor License-**Maggiore's Drive Thru**-4321 Cleveland Ave. NW
7. EMS Refunds
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.:

| <u>PAYABLE TO</u> | <u>AMOUNT</u> |
|-------------------|---------------|
| Aetna Medicare MC | \$ 435.43 |

PLAIN TOWNSHIP BOARD OF TRUSTEES

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Joanne G. Miller

\$ 200.00

Total \$ 635.43

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

ADMINISTRATOR:

1. Group Term Life Insurance

#22-409

Motion by Mrs. Harless.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to increase the group term life insurance to \$50,000.00 per employee to be taken from fund numbers, 1000-110-220-0000, 2031-330-220-0000, 2111-220-220-0000 2171-610-220-0000, 2181-130-220-0000, effective August 1, 2022, per the attached.

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

2. OneOhio

#22-410

Motion by Mr. Haws.

WHEREAS Plain Township is scheduled to receive the Local Government Share of the OneOhio Distributor Settlement, and these funds shall be placed in a separate fund, used only for the approved purposes as required by the OneOhio MOU, and this special fund is created under Ohio Rev. Code, § 5705.09(F), local governments do not need to seek AOS approval for establishing this new fund,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to establish Special Assessments Fund 2902 OneOhio to account for revenue and expenditures for the approved purposes as required by the OneOhio MOU.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

3. Uniform Allowance

#22-411

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to provide a uniform allowance of seven hundred fifty dollars (\$750.00), to be paid from fund #2171-610-599-0000 and fund #2901-610-599-0000, per year for each full-time parks and recreation employee effective July 27, 2022. There shall be no carryover from year to year and there is no cash out option.

BE IT FURTHER RESOLVED that uniforms and boots will be purchased through Plain Township approved vendors only. This allowance includes one (1) pair of boots per calendar year. Plain Township will continue provide all safety required equipment. Quantities for individuals of any such item or items should be based on the member having inventory of uniform clothing that is necessary for everyone to maintain a neat, well-groomed image and always provide comfort and safety. All park employees shall be required to always maintain their uniforms in good order. Items unkept and in disrepair shall not be used as a uniform

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component and must be replaced with the uniform entitlement.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

4. Kick Start to Wellness

#22-412

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached service agreement for the Plain Township Wellness Program with COREFIT and to grant 8 additional personal hours to all participants who successfully complete the program, to be scheduled with their department head.

BE IT FURTHER RESOLVED to pay \$1,000.00, for the six-week program design, marketing, signups, printed materials, and 3 lunch and learns, and to pay up to \$65 per participant up to 50 participants and or \$50 per participant for over 50 participants to be paid from fund #1000-110-500-0000.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

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

FIRE DEPARTMENT:

1. Battalion Chief (new job description)

#22-413

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to accept the job description of Battalion Chief per the attached job description, effective March 21, 2022. Wages and benefits are to be in accordance with the current Firefighters Local 2967 collective bargaining agreement.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

2. Hall Public Safety-Emergency lights, sirens & misc.

#22-414

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment and installation of, emergency lights, sirens & misc. from Hall Public Safety Outfitters for the new 2022 Ford Expedition Max, per the attached quote, in an amount not to exceed \$15,000.00, from accounts:

2281-760-740-0000 - \$7,500.00

2111-220-430-0000 - \$7,500.00

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

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

3. Payment Ohio State Fire School for Fall Fire Classes

#22-415

Motion by Mr. Haws.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance and payment for Fall Fire Classes at the Ohio State Fire School in Bowling Green. This is to include registration, meals, mileage, room etc. to be taken from fund #2111-220-599-0000 not to exceed \$3,000.00

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Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

ROAD DEPARTMENT:

#22-416 1. Supervising Foreman Job Description
Motion by Mr. Sabo,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio
to adopt the following revised job description attached to and made a part of these minutes.
Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-417 2. Purchase Bomag Plate Tamper
Motion by Mrs. Harless,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County,
Ohio, to authorize purchase and payment to Southeastern Equipment Co. for a new
Bomag Plate Tamper. Not to exceed \$2,671.00 from fund 2021-330-430-0000 Tools &
Equipment.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-418 3. **Accept Paul Birk's Retirement**
Motion by Mr. Haws.
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark
County, Ohio, to accept Paul Birk's retirement after 38 years of service with Plain
Township. Effective August 31st, 2022. Retirement letter attached to and made
part of these minutes.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-419 4. Payment to McIntosh for Fuel and Oil
Motion by Mrs. Harless.
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio
to authorize purchase and payment to McIntosh Oil for gasoline, oil, and diesel fuel at a cost
not to exceed \$35,000.00 from fund 2021-330-420-0000 Operating Supplies.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

ZONING DEPARTMENT:

#22-420 1. Abatement Pays
 a. 3525 Easton St. NE
Motion by Mr. Haws,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to
the owner of the property located at 3525 Easton St. NE, (Parcel #5207993) to abate the
nuisance on this property (Resolution #15-271) on 07/13/2022; and

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WHEREAS, the Plain Township Board of Trustees provided for said abatement though the services of Plain Township Maintenance Department at a cost of \$215.04; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$34.57;

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

Stark County, Ohio to instruct the Fiscal Officer to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$249.61 **to be placed on the property owner's tax duplicate.**

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

b. 2106 26th St NE

#22-421

Motion by Mr. Haws,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of the property located at 2106 26th St NE, (Parcel #5209316) to abate the nuisance on this property (Resolution #15-271) on 06/21/2022; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement though the services of Plain Township Maintenance Department at a cost of \$214.72; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$34.57;

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

Stark County, Ohio to instruct the Fiscal Officer to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$249.29 **to be placed on the property owner's tax duplicate.**

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

c. 1937 40th St. NE

#22-422

Motion by Mr. Haws,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of the property located at 1937 40th St. NE, (Parcel #5210024) to abate the nuisance on this property (Resolution #15-271) on 07/12/2022; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement though the services of Plain Township Maintenance Department at a cost of \$179.72; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and

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notification in the amount of \$34.57;

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

Stark County, Ohio to instruct the Fiscal Officer to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$214.29 **to be placed on the property owner's tax duplicate.**

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes
d. 3222 25th St. NW

#22-423

Motion by Mr. Haws,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of the property located at 3222 25th St. NW, (Parcel #5204306) to abate the nuisance on this property (Resolution #15-271) on 07/12/2022; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement though the services of Plain Township Maintenance Department at a cost of \$142.79; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$34.57;

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

Stark County, Ohio to instruct the Fiscal Officer to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$177.36 **to be placed on the property owner's tax duplicate.**

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

PARKS:

1. Consider Hiring a Soccer Supervisor/Concessions Worker

#22-424

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire David Nussbaumer as a soccer supervisor/concessions worker in the Parks Department with no benefits at a rate of \$12/hr. to be paid from fund #2171-610-112-0000 and/or fund #2901-610-112-0000, effective August 4th, 2022.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN
Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes

LAW DIRECTOR:

1. Continuing Litigation – The Board wants to continue with this process.

COMMUNICATIONS: None

PUBLIC SPEAKS: None

CONCERNS OF TRUSTEES: None

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CONCERNS OF FISCAL OFFICER: None

APPROVAL OF MINUTES:

#22-425

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to waive the reading of the minutes held July 12, 2022, 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 meeting held July 12, 2022, as presented.

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

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

EXECUTIVE SESSION:

#22-426

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED BY THE Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:17 p.m. from this regular meeting of 8/3/2022 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:

1. (e) Promotion of demotion of a public employee or official
(f) compensation of a public employee or official
2. (a) the purchase of real, personal, tangible, or intangible property
3. A conference with the law director or other retained counsel concerning pending or imminent court action

Seconded by Mr. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-427

Motion was made by Mr. Haws to return to public session at 7:01 p.m.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-428

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached declaration of reciprocal easements, covenants and restrictions with One Easton Company, LLC which sets forth certain rights, obligations, duties and responsibilities of both the Township and One Easton in connection with the development of the property and use and operation of the Easton Property and Township Property.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-429

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached agreement of purchase and sale with UDV LLC, an Ohio limited liability company of which Western Reserve Land Conservancy is the sole member, and the Plain Township Board of Trustees for the acquisition of 19.79 acres know as permanent

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parcel number 10012644 as described in Exhibit A and depicted in Exhibit B.

Seconded by Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN

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

#22-430

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to promote Andrew Xeloures from Project Inspector to Supervising Foreman, effective August 7th, 2022, at a yearly salary of \$68,120.00 from fund 2031-330-112-0000 Salaries/Staff.

Seconded by Mrs. Haws

MEMBER VICE-CHAIRMAN CHAIRMAN

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

ADJOURNMENT:

#22-431

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 7:03 p.m.

Seconded by Mrs. Harless

MEMBER VICE-CHAIRMAN CHAIRMAN

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

John A. Sabo
Trustee

Brook Harless
Trustee

Scott Haws
Trustee

ATTEST:

Thomas Wolf
Fiscal Officer