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2600 Easton St. NE Canton, OH 44721

January 25,

2022

REGULAR MEETING

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

ATTENDANCE:

Scott Haws, John Sabo, Brook Harless, Chief Shalenberger, Eric Williams, Joe Iacino, Thomas Ferrara, Rob Steinberg (excused absence) and Thomas Wolf. Lisa Campbell

Media: None

AGENDA: The agenda stans as presented.

SHERIFF'S REPORT:

UNFINISHED BUSINESS:

**NEW BUSINESS:** 

Fiscal Officer Pro-Tem:

Tina Biehl

#22-056 Motion by Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio

to appoint Tina Biehl as Fiscal Officer Pro Tem.

Seconded by Mr. Haws

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

FISCAL OFFICER'S REPORT:

1. Pending Warrants

#21-057 Motion by Mr. Sabo,

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 \$ 109,048.18 as attached hereto 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

2. Regular Payroll

#21-058 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 Mr. Sabo

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

3. Medical Claims

#21- 059 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:

DATE	WARRANT	AMOUNT
01/07/2022	125-2022	\$ 5,853.66
01/14/2022	126-2022	\$ 36,093.81
01/21/2022	127-2022	\$ 29,523.92

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Seconded by Mr. Haws

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

4. Investment Report

5. **2021 Worker's** Compensation True-Up

#22-060

Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, entered into a contract for coverage with the State of Ohio Bureau of Workers' Compensation for the calendar year 2021 (Res #19-575.)

WHEREAS, the State of Ohio Bureau of Workers' Compensation prospective billing for the calendar year 2021 was based on an estimated annual payroll.

WHEREAS, Plain Township has reconciled the 2021 payroll.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a true-up payment to the State of Ohio Bureau of Worker's Compensation of \$38,466.00

Seconded by, Mr. Haws

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

6. Firefighters Sick Pay Bonus

#22-061

Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve sick pay bonus as stated in the negotiated contract for the members of the Plain Township Firefighters Association as follows:

Name	Amount
Kyle Albert	\$250.00
Stephen Ash	0.00
Andrew Byler	150.00
Ryan Caron	500.00
Wayne Conroy, Jr	500.00
Matt DeCosta	250.00
Ronald DiFrancesco	0.00

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Michael Evans	250.00
Adam Farley	0.00
Stephen Fuchs, Jr	150.00
Joel Gladysz	500.00
Jeremy Guenther	500.00
Logan Henkel	150.00
Ben Hershberger, Jr	500.00
Howard Hershberger	500.00
Michael Hill	0.00
Jonathan Hofstetter	500.00
Alexander Hylton	0.00
Scott Jackson	0.00
Kyle Johnson	500.00
Steven Joki	500.00
Ryan Jones	250.00
Aaron Kauth	150.00
Eric Keagy	150.00
Scott Kelly	500.00
Joseph Kiefer	150.00
Jason Kuhn	0.00
Brandon Mackall	500.00
Benjamin Magee	250.00
Cameron Martin	150.00
Patrick Martinez	250.00
Kyle Nussbaum	500.00
Brandon Ogden	0.00
Jeff Pierpont	0.00
Robert Ramey	250.00
Adam Reardon	0.00
James Russell II	250.00
Joshua Short	150.00
Andrew Skolmutch	250.00
Joseph Theil	0.00
Daniel Ventura	500.00
Paul Weigand	0.00

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Eric Wiedlebacher	500.00
Douglas Woodyard	0.00
Ross Wymer	0.00
Scott Yana	0.00

Total \$10,450.00

Seconded by, Mr. Haws

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

7. Release of Insurance Proceeds-Premier Homes

#22-062 Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the release of insurance proceeds being retained for a loss caused by fire on October 1, 2020, at 2345 38<sup>th</sup> Street NE, in the amount of \$12,324.87. The check is to be made payable to Mulholland Holdings, LLC, and will be mailed to Premier Homes, PO Box 36715, Canton, Ohio 44735, authorized by Fire Safety Inspector, Scott Kelly, Division of Inspections, and Investigations.

Seconded by, Mr. Haws

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

8. Release of Insurance Proceeds-Graham

#22-063 Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the release of insurance proceeds being retained for a loss caused by fire on March 1, 2019, at 2000 Whipple Ave. NW, in the amount of \$83,880.00. The check is to be made payable to The Estate of Wayne Graham & Gwendolyn Graham and will be picked up by Mrs. Graham at township hall when available, authorized by Fire Safety Inspector, Scott Kelly, Division of Inspections, and Investigations.

Seconded by, Mr. Haws

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

9. Demolition of 3100 33<sup>rd</sup> St. Canton, Oh

#22-064 Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire Eslich Wrecking Company to demolish the house located at 3100 33<sup>rd</sup> St, Canton, OH in the amount not to exceed \$7,200.00 from fund 1000-110-500-0000 and

BE IT FURTHER RESOLVED that all expenses to incurred by the Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry.

Seconded by, Mr. Haws

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

10. Authorizing Expenditures from the American Rescue Plan Funds

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#22-065 Motion by, Mr. Haws.

RESOLUTION NO. Authorizing Expenditure from American Rescue Plan Act Funds

Stark County, Ohio

**Be It Resolved** by the Township Trustees of Plain Township

WHEREAS, this date, January 25, 2022, Trustee Scott Haws moved the adoption of the following Resolution:

WHEREAS, the Township has received a distribution of monies (the "ARPA Funds") from the American Rescue Plan Act of 2021 ("ARPA" or the "Act"); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

# **WHEREAS**, Section 603(c) generally provides that:

- (1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government,

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or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." [The "standard allowance"].

# **WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund's smallest recipients. This change is intended to promote administrative efficiency and simply revenue loss calculation for smaller recipients.

# **WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

**WHEREAS**, some common examples of "government services" expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation

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- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

**WHEREAS**, "Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;" and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or "rainy day" funds

**WHEREAS**, the Final Rule states that recipients must elect either the standard allowance or calculate revenue loss pursuant to the 4-step process and recipients may not use both methods; and

**WHEREAS,** this option was not available pursuant to the Interim Final Rule, at which time the Township passed a resolution relating to revenue loss calculated to the 4-step process, Resolution 21-456 passed on September 14, 2021; and

**WHEREAS**, the Board of Trustees seeks to adopt the standard allowance as serving in the best interest of the Township.

# **NOW THEREFORE**, it is hereby RESOLVED by the Board that:

- 1. The Township elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.
- 2. The Township therefore rescinds Resolution 21-456, passed on September 14, 2021, which calculated revenue loss pursuant to the Interim Final Rule.

Trustee <u>John Sabo</u> seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

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**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 25th	_ day of <u>January</u>	, 2022	
	Townshi	Township Trustees	
Attest:			
Township Fiscal Officer			

Seconded by, Mr. Sabo

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

## ADMINISTRATOR:

- 1. Amphitheater Brainstorming
- 2. Amend Resolution #21-538

#22-066

Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #21-538, to authorize the Trustees, Fiscal Officer, Fiscal Director, Administrator, Law Director and Department Heads to attend the 2022 Ohio Township Association Winter Conference in Columbus, Ohio on January 26, 2022, to January 28, 2022, and to authorize payment for the preregistration fee, lodging and reimbursement for food, mileage and parking for those attending according to our Travel Policy from Fund #1000-110-330-0000

Seconded by, Mrs. Harless

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

## FIRE DEPARTMENT:

1. From Part-Time EMT/Firefighter to Part-Time Paramedic/Firefighter

#22-067 Motion by, Mr. Haws.

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to change the status of:

Ryan Clevenger Tristin Hamilton Dane Johnson

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Cody Shaffer Zachary Shier Maxwell Tisdale

From Part-Time EMT/Firefighter to Part-Time Paramedic/Firefighter with an increase to \$17.00 an hour without benefits. As wages were set per resolution #21-155. As they have successfully completed paramedic training with the Stark County and the State of Ohio. Pay rate will go into effect on 01/23/2022 at 0700 hours.

Seconded by, Mr. Sabo

MEMBER VICE-CHAIRMAN CHAIRMAN Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes 2. Gym Membership Reimbursement – Scott Yana

#22-068 Motion by, Mr. Haws.

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the reimbursement to Scott P. Yana in the amount of \$400.00 for Health Care Membership according to Provision 37 of the Collective Bargaining Agreement, to be taken from account #2111-220-599-0000.

Seconded by, Mrs. Harless

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

3. Dispatch Contract with Sheriff Department

#22-069 Motion by, Mr. Sabo.

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to enter in the attached agreement between the Stark County Sheriff and the Plain Township Board of Trustees starting January 1, 2022, thru December 31, 2022, for all dispatching services for Plain Township Fire/EMS. Pricing is set according to attached agreement.

Seconded by, Mr. Haws

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

**ROAD DEPARTMENT:** 

1. Amend Resolution #21-569

#22-070 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #21-569 passed on November 9<sup>th</sup>, 2021, to change Fund 03-C-03 Contracts to Fund 2021-330-360-0000 Contracted Services. Authorizing to contract with Bachtel Excavating for the Lindford Ave. Storm Sewer Project, Final Phase. Payment in the amount not to exceed \$47,275.00.

Seconded by Mr. Sabo

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

2. Amend Resolution #21-502

PLAIN TOWNSHIP BOARD OF TRUSTEES Regular

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#22-071 Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #21-502 passed on September 28<sup>th</sup>, 2021, to change Fund 03-C-03 Contracts to Fund 2021-330-360-0000 Contracted Services. Authorizing to enter into agreement with OHM Advisors for the Orion St. N.W. Storm Sewer and Right of Way Design. Payment not to exceed the amount of \$47,600.00.

Seconded by Mr. Sabo

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

3. Amend Resolution #21-409

#22-072 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #21-409 passed August 10<sup>th</sup>, 2021, to change Fund 03-A-04 Tools & Equipment to Fund 2021-330-430-0000 Tools & Equipment. Authorizing the ordering of a 2022 International (HV507) Dump Truck Chassis from Rush Truck Centers, under the ODOT Cooperative Purchasing Program; Contract #023-21 for \$87,985.00; with this price including a 60 month, 100,000-mile warranty.

BE IT FURTHER RESOLVED, to authorize payment to be made in the fiscal year of 2022 due to the current stoppage of truck sales as a result of slow production and shortage of equipment to be taken from Fund 2021-330-430-0000 Tools & Equipment.

Seconded by Mrs. Harless

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

4. Amend Resolution #21-303

#22-073 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #21-303 passed on June 22<sup>nd</sup>, 2021, to change Fund 03-A-04 Tools & Equipment to Fund 2021-330-430-0000 Tools & Equipment authorizing the purchase and payment to Waikem Ford for a 2022 Ford F-350, SRW, Regular Cab 4x4 per quote of \$31,269.00 with additional 45-day tag cost of \$20.00. Amount not to exceed \$31,289.00.

Seconded by Mrs. Harless

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

5. Annual Township Mileage for 2021

#22-074 Motion by Mr. Sabo,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to certify to the Ohio Department of Transportation that the total Annual Township Mileage for 2021 is 174.085 miles

Seconded by Mr. Haws

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

6. Payment to K-Tech Specialty Coatings-BEET HEET

PLAIN TOWNSHIP BOARD OF TRUSTEES Regular

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#22-075 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment to K-Tech Specialty Coatings for BEET HEET Severe Liquid Deicer. Not to exceed \$6,800.00 from Fund 2011-330-490-0000

Seconded by Mrs. Harless

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

7. Winter Storm Update

**ZONING DEPARTMENT:** 

PARKS:

1. ODNR Grant Agreement

#22-076 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to accept and enter into the attached agreement for the Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with Ohio Department of Natural Resources, effective immediately.

Seconded by Mrs. Harless

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

2. Accept the Resignation of Mark Reed

#22-077 Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to accept the resignation of Mark Reed effective February 4<sup>th</sup>, 2022.

Seconded by Mr. Sabo

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

LAW DIRECTOR: COMMUNICATIONS:

PUBLIC SPEAKS: None

CONCERNS OF TRUSTEES: None

CONCERNS OF FISCAL OFFICER: None

APPROVAL OF MINUTES:

#22-078 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 January 11, 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 January 11, 2022, as presented.

Seconded by Mr. Haws

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

**EXECUTIVE SESSION:** 

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2600 Easton St. NE January 25, 2022 Canton, OH 44721 #22-079 Motion by Mr. Haws, BE IT HEREBY RESOLVED BY THE Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:21 p.m. from this regular meeting of 1/25/22 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: 1. (a) appointment of a public employee or official (b) employment of a public employee of official (c) dismissal of a public employee or official (d) discipline of a public employee or official (e) Promotion of demotion of a public employee or official (f) compensation of a public employee or official (g) investigation of charges or complaints against a public employee, official, licensee, or regulated individual Seconded by Mr. Sabo **MEMBER** VICE-CHAIRMAN CHAIRMAN Vote: Mr. Haws. Yes: Mr. Sabo, Yes. Mrs. Harless, Yes: #22-080 Motion was made by John Sabo to return to public session at 7:23 p.m. Seconded by Mr. Haws **MEMBER** VICE-CHAIRMAN CHAIRMAN Vote: Mr. Haws, Yes: Mrs. Harless, Yes: Mr. Sabo, Yes. ADJOURNMENT: #22-081 Motion by Mr. Haws, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 7:24 p.m. Seconded by Mr. Sabo VICE-CHAIRMAN CHAIRMAN **MEMBER** Vote: Mr. Haws, Yes; Mrs. Harless, Yes; Mr. Sabo, Yes. John A. Sabo **Brook Harless** Scott Haws Trustee Trustee Trustee

ATTEST:

Thomas Wolf Fiscal Officer