

2600 Easton St. NE
Canton, OH 44721

August 8, 2023

REGULAR MEETING

OPENING: The regular meeting was called to order at 6:00 p.m. with the Pledge of Allegiance
Public Hearing: 6:00 p.m. – 2024 Budget Hearing
#23-433 Motion by Mr. Sabo,
 WHEREAS the 2024 Plain Township Alternative Tax Budget was presented to Plain Township Board of Trustees at the public hearing on August 08, 2023:
 THERFORE BE IT RESOLVED by the Plain Township Board of Trustees to continue the hearing on the 2024 Plain Township Alternative Tax Budget until the Special Meeting on August 15, 2023, at 2 p.m. at Township Hall.
 Seconded by Mr. Haws
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

ATTENDANCE:
 Scott Haws, John Sabo, Brook Harless, Chief Shalenberger. Lisa Campbell, Eric Williams, JP Neff, Thomas Ferrara, Rob Steinberg and Thomas Wolf.
 Media: None

AGENDA: The agenda stands as presented.

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Amend Home Rule Noise Nuisance
#23-434 Motion by Mr. Haws,
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio pursuant to Ohio Revised Code Section 504 et seq. and Sections 504.04(A)(1) and (2) 504.05 and 504.12, we hereby adopt the attached Amended Noise Nuisance Legislation, effective 30 days from the enactment of this Resolution and request the Fiscal Officer publish the attached Notice of this Resolution. The previous version of Plain Township’s Home Rule Noise Nuisance Legislation is attached to the amended version as Exhibit A.
 BE IS FURTHER RESOLVED THAT; we adopt the attached citation form required by Ohio Revised Code Section 504.06 and that the within resolution and regulations replaces all prior adopted regulations.
 Seconded by Mrs. Harless
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

Sherriff’s Report:

- 1. Monthly Report

FISCAL OFFICER’S REPORT:

1. Pending Warrants
#23-435 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 \$422,468.17 as attached hereto and made a part of these minutes.
 Seconded by Mr. Sabo
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

2. Regular Payroll
#23-436 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

3. Medical Claims
#23-437 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 Aultcare:

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<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
07/27/23	1922-2023	\$ 39,066.43
08/04/23	1932-2023	\$ 10,270.90

Seconded by Mr. Haws

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

4. Financial Report
5. Investment Report
6. Transfer of Funds

#23-438

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following transfer of funds:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Police 2081-210-370-0000 Pmt to Political Subdiv.	2081-910-910-0000 Tranfers Out	\$1,000,000.00

Seconded by Mrs. Harless

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

7. Transfer to Capital Funds
 - a. Capital Fund 4905

#23-439

Motion by Mr. Haws,

WHEREAS Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a Capital Projects Fund for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of a subdivision;

WHEREAS, the Plain Township Trustees on June 26, 2018 established a Capital Fund for acquiring Police Equipment- Vehicles and Equipment (Resolution #18-303);

WHEREAS the source of monies was from the Police District Fund #2081 and a balance of \$153,971.20 remains in the Capital Fund account #4905.

NOW THEREFORE BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that the Plain Township Fiscal Officer shall hereby be authorized to transfer the amount of \$500,000.00 from the Police District Fund #2081-910-910-0000 into the Capital Fund #4905-931-0000.

The transfer of said funds shall be certified to the Stark County Auditor.

Seconded by Mrs. Harless

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

- b. Capital Fund 4910

#23-440

Motion by Mr. Haws,

WHEREAS Ohio Revised Code §5705.13, permits political subdivisions to establish via resolution a Capital Projects Fund for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets of a subdivision;

WHEREAS, the Plain Township Trustees on February 8, 2022 established a Capital Fund for acquiring Police Body Cams and Equipment (Resolution #22-080);

WHEREAS the source of monies was from the Police District Fund #2081 and a balance of \$200,00.00 remains in the Capital Fund account #4910.

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that the Plain Township Fiscal Officer shall hereby be authorized to transfer the amount of \$500,000.00 from the Police District Fund #2081-910-0000 into the Capital Fund #4910-931-0000.

The transfer of said funds shall be certified to the Stark County Auditor.

Seconded by Mr. Sabo

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

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#23-441 8. 2021-2022 Financial Audit
 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 enter into the attached agreements with the Ohio Auditor of State, of 6000 Frank Ave NW, Conference Center, Suite 154, North Canton, Ohio 44720 to contract their professional services and satisfy the Township's audit requirements for the combined financial statements as of and for the years 2021 and 2022; and a Program-Specific Audit due to the Receipt of Coronavirus State and Local Recovery Funds.
 BE IT FURTHER RESOLVED by the Plain Township of Trustees, Stark County, Ohio, to authorize payment of up to \$18,860.00 to Ohio Auditor of State to be taken from fund 1000-110-500-0000.
 Seconded by Mr. Haws

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

#23-442 9. Demolition at 4212 34th St. NE
 Motion by Mr. Sabo,
 WHEREAS ORC505.86 authorizes the Plain Township Board of Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure unsafe, or structurally defective or unfit for human habitation; and
 WHEREAS all statutory requirements for property owner notifications were completed.
 NOW THEREFORE BE IT RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to hire Eslich Wrecking Company to demolish the house located at 4212 34th St. NE., Plain Township, Stark County, parcel no. 52-00215. In an amount not to exceed \$5,100.00 from fund #1000-760-730-0000, and
 BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio the Township Fiscal Officer shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above stated property.
 Seconded by Mrs. Harless

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

#23-443 10 Amended Certificate
 Motion by Mr. Haws,
 BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Fiscal Officer to request an Amended Certificate of Estimated Resources from the Stark County Auditor for \$1,000,000.00 of Interfund Transfers.

4905-Police Equipment- Vehicles & Equipment	\$500,00.00
4910-Police Body Cams & Equipment	\$500,00.00

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.

4905-760-750-0000-Police Equipment - Vehicles & Equipment	\$500,000.00
4910-760-740-0000-Police Body Cams & Equipment	\$500,000.00

Seconded by Mrs. Harless

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

ADMINISTRATOR:

#23-444 1. Amend Resolution #23-414
 Motion by Mr. Haws,
 Be IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #23-414, to authorize purchase and payment to Sarchione Lincoln Ford of Alliance, Inc. for a 2024 Sheriff's Ford SUV not to exceed \$49,995.00 to be taken from fund #4905-760-750-0000.
 Seconded by Mrs. Harless

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

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FIRE DEPARTMENT:

- 1. Monthly Report
- 2. Purchase of Ford Chassis

#23-445

Motion by Mrs. Harless,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to authorize purchase and payment of one 2024 Ford-550 4x4, Chassis Cab DRW/193 from Liberty Ford Canton in the amount not to exceed \$74,999.00 including the listed options, to be taken from account: #2281-760-740-0000

Seconded by Mr. Haws

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

ROAD DEPARTMENT:

- 1. Monthly Report
- 2. Murphy Tractor

#23-446

Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize purchase and payment of \$3,700.00 to Murphy Tractor for replacement parts on the Road Hog Grinder from fund 2031-330-420-0000 Operating Supplies.

Seconded by Mr. Sabo

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

- 3. Magic Door Inc.

#23-447

Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Magic Garage Door Inc. for repair to north bay garage door (\$1,600) and for purchase/installation of new garage door with hardware (sign bay, \$3,490). Not to exceed \$5,090.00 from fund 2141-760-720-0000 Buildings.

Seconded by Mr. Sabo

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

- 4. GP Concrete Inc.

#23-448

Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize services and payment of \$41,000.00 to GP Concrete Inc. for removal and replacement of trench drain and partial floor of north bay garage from fund 2141-760-720-0000 Buildings.

Seconded by Mrs. Harless

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

- 5. Temporary No Parking Signs for Amphitheater Events

#23-449

Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the posting of temporary "No Parking" signs on both sides on the following streets:

- Sugar Grove Circle NE
- Songbird Circle NE
- Blossomwood Circle NE
- Strawberry Fields Circle NE
- Sandalwood Ave NE (Easton to Middlebranch)
- Grove St NE (Sandalwood to Middlebranch)
- Teakwood Ave NE (Sandalwood to Middlebranch)
- McDowell St Ne (Middlebranch to W. Term)
- Hollyview St NE (Sandalwood to Middlebranch)
- Kingswood St NE (Sandalwood to Middlebranch)
- McDowell St NE (Middlebranch to E. Term)
- Heminger Ct. NE

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The above temporary "No Parking" signs will be posted prior to Plain Township Amphitheater Events and removed the following business day. This will be for the following event dates; August 10th, August 17th, September 14th, and September 28th, 2023.

Seconded by Mrs. Harless

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

6. No Parking 17th St.

#23-450

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the posting of permanent "No Parking Anytime During HOF & Village Campus Events" signs on 17th St. N.W. between Clarendon Ave N.W. and Lakeside Ave N.W. To be posted on the north side of street.

Seconded by Mrs. Harless

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

7. New Hire

#23-451

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to hire Derrick Edinger as a full-time Probationary Operator/Laborer to be paid commensurate with current union wage rates, effective September 5, 2023, contingent upon a successful pre-employment drug and alcohol screening and a physical examination. In addition, as per the collective bargaining agreement with Local 561 of The Utility Workers Of America, Derrick Edinger shall successfully complete a two-year probation period.

Seconded by Mrs. Harless

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

8. Sealed Bid of Tandem Truck

#23-452

Motion by Mrs. Harless,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Highway Superintendent to place a bid on a 2010 International Workstar 7400 in the amount of \$32,000.00

Seconded by Mr. Haws

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

9. Highway Foreman Probation

#23-453

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, after successful completion of his yearly probation period, Andrew Xeloures' yearly salary shall be increased to \$72,800.00. Effective August 7, 2023, beginning at 7:00a.m. from fund 2031-330-112-0000 Salaries/Staff

Seconded by Mrs. Harless

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

ZONING DEPARTMENT:

1. Monthly Report
2. Abatements
 - a. 3210 Middlebranch

#23-454

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 08/08/2023 by the Board of Trustees regarding the property conditions at 3210 MIDDLEBRANCH AVE NE, Stark County, Ohio (Parcel # 10009048) and WHEREAS, EVEREST COOLING AND REFRIDGERATION LLC, has failed to demonstrate satisfactory progress in correcting the violations at the above property: and WHEREAS, the Plain Township Board of Trustees have provided the owner(s) of the property with notice and opportunity to be heard on this matter;

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

- Trash and/or Debris
- Ohio Revised Code Section 505.87 pertaining to the accumulation of vegetation, garbage, refuse, and other debris constituting a nuisance on property within Plain Township. and

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- The nuisance(s) shall be abated or removed according to the procedures outlined in ORC Section 505.871, and
- Notice of this decision will be provided to the property owners.

Seconded by Mr. Sabo

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

b. 1918 39th St NW

#23-455

Motion by Mr. Haws,

WHEREAS, a public hearing was held on 08/08/2023 by the Board of Trustees regarding the property conditions at 1918 39th ST NW, Stark County, Ohio (Parcel # 5216480) and

WHEREAS, BENJAMIN BAIR, has failed to demonstrate satisfactory progress in correcting the violations at the above property: and

WHEREAS, the Plain Township Board of Trustees have provided the owner(s) of the property with notice and opportunity to be heard on this matter;

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

- High grass and/or Weeds Ohio Revised Code Section 505.87 pertaining to the accumulation of vegetation, garbage, refuse, and other debris constituting a nuisance on property within Plain Township. and
- The nuisance(s) shall be abated or removed according to the procedures outlined in ORC Section 505.871, and
- Notice of this decision will be provided to the property owners.

Seconded by Mr. Sabo

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

3. Resolution to initiate a text amendment to the Plain Township Zoning Commission

#23-456

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to initiate an application to the Plain Township Zoning Commission, through the Plain Township Zoning Director, for Zoning Resolution Text Amendment #583-23 Solar Energy System Ordinance and waiving all fees for the same application.

Seconded by Mr. Sabo

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

4. iWorQ's Agreement

#23-457

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to renew the attached service agreement with iWorQ Systems in the amount of \$8,305.00 and to authorize payment to be paid from Fund 1000-1100-500-0000.

Seconded by Mrs. Harless

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

PARKS:

1. Monthly Report
2. Aris Company Port a Jon Clean Outs at Diamond

#23-458

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve payment to Aris Company for Port a jon clean outs from August to October at Diamond Community Park in an amount not to exceed \$2,750.00 to be taken from fund #2901-610-599-0000.

Seconded by Mrs. Harless

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

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#23-459 3. WKG Enterprises, LLC
 Motion by Mr. Haws,
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to approve payment to WKG Enterprises LLC for amphitheater entertainment planning and website updates in an amount not to exceed \$2,962.50 to be taken from fund #1000-110-500-0000.
 Seconded by Mrs. Harless
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

#23-460 4. Elite Sports Ltd.
 Motion by Mr. Sabo,
 BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to approve payment to Elite Sports Ltd. for uniform shirts for the amphitheater in an amount not to exceed \$4,683.00 to be taken from fund # 2901-610-599-0000.
 Seconded by Mr. Haws
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Yes

5. General Amphitheater Announcements
 Rob Steinberg stated the soft opening of the Amphitheater went well.

LAW DIRECTOR:

1. Walsh Annexation

COMMUNICATIONS:

1. Online Forms Submittal: Contact Us Form
 A Thank You letter was noted on the form for the speed monitor on Applegrove St.

PUBLIC SPEAKS:

CONCERNS OF TRUSTEES:

Concerns of Fiscal Officer:

APPROVAL OF MINUTES:

#23-461 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 held July 25, 2023, 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 25, 2023, as presented.
 Seconded by Mrs. Harless
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Abstain

APPROVAL OF SPECIAL MEETING MINUTES:

#23-462 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 held July 31, 2023, 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 31, 2023, as presented.
 Seconded by Mrs. Harless
 MEMBER VICE-CHAIRMAN CHAIRMAN
 Vote: Mr. Haws, Yes Mrs. Harless, Yes Mr. Sabo, Abstain

EXECUTIVE SESSION:

PLAIN TOWNSHIP BOARD OF TRUSTEES

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ADJOURNMENT:

#23-463

Motion by Mr. Sabo,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 6:42 p.m.

Seconded by Mr. Haws

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