

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Special Session on July 30, 2012, at 11:35 am, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Chairperson Nadine Daugherty called the Special Session to order at 11:35 am.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Hodson called the roll with Board Members Mike Pittman and Nadine Daugherty being present. Mr. Bryant arrived during Executive Session. In addition to Township Administrator Barry Tiffany, others present were Township Planner/Zoning Official Cara Tilford, and Nathan Cahill, Economic Development Director for the City of Centerville.
4. **New Business**
Mr. Tiffany said the Board needed to meet in Executive Session for pending and eminent litigation.

Mr. Pittman moved to adjourn to Executive Session. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Daugherty – Yes

The meeting reconvened at 12:45 pm. Roll was called with all Trustees present.

Mrs. Daugherty said that in light of Mr. Oberer's and Cornerstone Development's filing in the Greene County Court last Friday, she felt it to be in the best interest of Sugarcreek Township to pursue Limited Home Rule and place it before the voters on this November's ballot. If Mr. Oberer is successful in his court action, the Township must have every ability to ensure the project moves forward swiftly and it would be in the Township's best interest to consider Limited Home Rule. Mr. Pittman agreed with Mrs. Daugherty's proposal to adopt Limited Home Rule and thought it would be beneficial for working with Mr. Oberer if he was successful in his efforts.

- A. Placing the Adoption of Limited Home Rule on the November 6, 2012, General Election Ballot.

Resolution No. 2012.07.30.01

WHEREAS, the Ohio General Assembly has established provisions under Ohio Revised Code 504 for the adoption of the limited home rule form of township government contingent on the approval of a majority of the votes cast on the proposition of adopting the limited home rule form of township government; and,

WHEREAS, said proposition to the voters may only be placed on the ballot during a general election in accordance with ORC 504.01,A,2; and,

WHEREAS, under existing law, a board of township trustees may exercise only those powers that are expressly granted by statute or are incidental to the statutorily granted powers; and,

WHEREAS, Sugarcreek Township may benefit from a local self-government form of township government such as limited home rule in several ways including the ability to exercise all powers of local self-government within the unincorporated area of the township, other than powers that are in conflict with the general laws of the State of Ohio; and,

WHEREAS, the limited home rule form of government is intended to empower townships in Ohio with local authority and self-governance more equal to cities; and,

WHEREAS, ORC 504.01,A,2 allows a township board of trustees, by majority vote, to adopt a resolution to have the Board of Elections submit to the electors of the unincorporated area of the township the question of whether the township should adopt a home rule form of township government under which it would exercise limited powers of local self-government and limited police powers,

THEREFORE, BE IT RESOLVED by the Sugarcreek Township Board of Trustees, Greene County, Ohio, to submit to the electors of Sugarcreek Township, Greene County, Ohio, at the general election on November 6, 2012, the question of the adoption of the limited home rule form of township government under Ohio Revised Code 504,

BE IT FURTHER RESOLVED that the form of ballot language at such election shall be:

“Shall the township of Sugarcreek adopt a limited home rule government, under which government the board of township trustees, by resolution, may exercise limited powers of local self-government and limited police powers?”

“..... For adoption of the limited home rule government”

“..... Against adoption of the limited home rule government”

BE IT FURTHER RESOLVED that the Fiscal Officer of this Board is directed and authorized to proceed with the certification hereof to the Board of Elections Greene County, Ohio, in accordance with Ohio Revised Code 504, to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution and to publish and post notice of the election at least forty-five (45) days before the election on adoption of the limited self-government of township government.

BE IT FURTHER RESOLVED that the Board of Township Trustees hereby authorizes and directs the Township Administrator to advertise and hold two (2) public information meetings on the topic of limited home rule government no less than thirty (30) days prior to November 6, 2012, and that the meetings be separated by a minimum of fourteen (14) days.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded.

Mrs. Daugherty asked about the meeting dates stated in the Resolution. Mr. Tiffany said they were present from the last ballot for Home Rule. Mr. Bryant said we should have the Public meetings but should also talk about the Road Levy. Mr. Bryant said he would also like to strike the phrase 'level the playing field'. Mr. Pittman and Mrs. Daugherty agreed.

Mr. Bryant moved to amend his motion to end the sentence prior to 'level the playing field'. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mr. Pittman – Yes
Mrs. Daugherty – Yes

Roll was called for the original motion, which was amended, with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman - Yes
Mrs. Daugherty – Yes

Mr. Pittman moved to adjourn. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mr. Pittman - Yes
Mrs. Daugherty – Yes

Theodore L. Hodson, Fiscal Officer