

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on April 15, 2013, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mr. Pittman called the session to order at 7:00 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Tiffany called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. Mr. Hodson was absent. Others present who signed in were Donna Hellman and Jim Martin. Mr. Pittman said he would like to move ahead to address several personnel issues before starting the Reports so those attending the meeting for appointments would not have to sit through the entire meeting.

Fire Department

- F. Promotion to Part-time Lieutenant Bradd M. Whitley

Resolution# 2013.04.15.03

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, a vacancy exists within the classification of Part-time Lieutenant; and,

WHEREAS, Chief Randall J. Pavlak requests that Bradd M. Whitley be promoted from Part-time Firefighter/EMT to Part-time Lieutenant;

WHEREAS, Part-time Township employees are hired with the expectation that the employee(s) will work not more than one-thousand five-hundred (1,500) hours total in any year, calculated annually from the date of part-time appointment; and,

WHEREAS, the Board of Trustees amended Resolution 2012.12.17.07 to state “that effective February 1, 2013, all part-time employees shall be scheduled to work not more than twenty-four (24) hours in any work week and effective March 31, 2013, part-time employees shall be permitted to work not more than twenty-eight (28) hours total in any work week”,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the promotion of Bradd M. Whitley to the position of part-time Lieutenant at the pay rate of \$12.25 per hour payable on a bi-weekly basis.

FURTHER BE IT RESOLVED, this promotion shall have an effective date of April 15, 2013, and is subject to a one (1) year probationary period ending April 15, 2014.

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

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

Mr. Bryant suggested they get rid of the split total hours in future Resolutions since it is no longer needed.

Lt. Whitley came forward and was personally welcomed by the Board and Staff. Lt. Whitley had his picture taken with the Board, Staff and Family members.

- E. Reclassification of Part-time Firefighter/Paramedic to Full-time Firefighter/Paramedic Michael S. Kirnec

Resolution# 2013.04.15.02

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, this need is met through the periodic reclassification of Fire Department employees and volunteers; and,

WHEREAS, Chief Randall J. Pavlak requests the reclassification of Michael S. Kirnec from Part-time Firefighter/Paramedic to Full-time Firefighter/Paramedic in concert with the reorganization of the Table of Organization of the Sugarcreek Township Fire Department;

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the reclassification of Michael S. Kirnec to the position of full-time Firefighter/Paramedic at the pay rate of \$15.16 per hour payable on a bi-weekly basis.

FURTHER BE IT RESOLVED, this reclassification shall have an effective date of April 15, 2013, and is subject to a one (1) year probationary period ending April 15, 2014.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Mr. Pittman said Mr. Kirnec did very well on his testing and he was proud to have him with us. Mr. Kirnec came forward for pictures and was personally welcomed by the Board and Staff.

4. Community Activities

Mr. Pittman asked if there were any Community Activities to talk about. Mr. Bryant said the Sugar Maple Festival is coming up this weekend. Mr. Pittman said in two weeks we will have our Open House on the 27th. Mr. Bryant said there will also be free trees and refreshments.

5. Reports

A. Administration

The report prepared by Mr. Tiffany will be appended to the permanent record. Mr. Tiffany said he had nothing to add to his report.

B. Fiscal Office

Mr. Hodson was absent. Mr. Pittman asked how Mr. Hodson was doing. Mr. Tiffany said he was doing well and would be here for the next meeting.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said he had a letter he would like to share.

Chief Pavlak read the letter, which he received today from the Bellbrook Fire Department, thanking the Sugarcreek Fire Department for their assistance with the loss of Bellbrook Firefighter Mike Miller. Mr. Pittman said it was a very nice letter.

D. Police

The report prepared by the Police Department will be appended to the permanent record. Chief Brown said he had nothing to add to his report.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Bryant wanted to know if the neighborhood watch signs being replaced in Eagle Rise belonged to the Township. Mr. Tiffany replied that they did and were being replaced because they were very old and the logo on the signs was not current. Mr. Bryant said he appreciated the list of ongoing projects and wanted to keep it up since people were interested in what the Road Department was doing. Donna Hellman asked if they were doing Durapatch this year. Mr. Tiffany said he didn't know what was planned yet.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Mr. Bryant asked about the pretrial meeting listed in her report. Cara said it was with the Greene County Prosecutor and Mr. Qasum regarding his property. She said since considerable progress has been made cleaning up the property, he has been granted a continuance to finish the required clean up.

G. Information Technology

The report prepared by Mr. Zappanti, Director of Information Technology, will be appended to the permanent record. Mr. Bryant told Mr. Tiffany he would like to meet with Mr. Zappanti once a month at his convenience.

H. Trustees

Mr. Bryant thanked Donna Hellman for the invitation to the Eagle Rise Home Owners Association. He said it was very well attended and that Chief Pavlak and Chief Brown also attended. Mr. Bryant said there were a lot of good questions from the residents. Mrs. Daugherty asked Donna if they met monthly. Donna replied that they met annually.

7. Old Business

County Wide Communications Center: Mrs. Daugherty said there has been much discussion on the County Wide Communications Center. She said she has listened and as yet not said much. Mrs. Daugherty said she has spent some time considering all that has been said and has written some notes on her thoughts which she would like to read. Mrs. Daugherty said she thought it best to go with the MARCS system for safety and service. She said ideally she would like to consolidate with Bellbrook but there are issues that have not yet been resolved. Mrs. Daugherty said she sees safety and service as the most important issues. She said we can stay on our own or consolidate with other agencies such as Greene Central. Mrs. Daugherty said she thought it might not be wise to take the risk of being on our own and thought consolidation seems evident. She said we must focus on the best way to spend our money at all levels. Mrs. Daugherty said she has yet to complete her decision since we have not yet received final costs. She said she was surprised when someone from the audience said we should go to the residents for advice. When she has consistently been told, "you were elected to do the job and to make the big decisions". Mrs. Daugherty said she encourages residents to attend meetings and to state their opinions, but in the end it is this Board that needs to make this decision. Mrs. Daugherty's notes will be appended to the permanent record.

Mr. Bryant said there is a meeting scheduled for this coming Wednesday at 6:30 pm. Mrs. Daugherty asked Mr. Tiffany if we have more information for this and asked if we will have our numbers. Mr. Tiffany responded that we should. Mr. Pittman said Wednesday should be a good meeting and would encourage people to attend. He said it is going to be a very tough decision but decisions have to be made.

8. New Business

Fiscal Office

A. Approval of Minutes

Mr. Bryant moved to approve the minutes for the Work Session of March 18th, the Regular Session of March 18th and the Regular Session of April 1st. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

B. Payment on Bills

Mr. Pittman said we have two sets of Bill Payments to approve. Mrs. Daugherty moved to accept the Payment of Bills as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Fire Department

D. Appointment of Part-time Safer Firefighter/Paramedic Daniel M. Logan

Resolution# 2013.04.15.01

WHEREAS, on May 15, 2009, the Sugarcreek Township Board of Trustees approved Resolution 2009.06.15.07, which accepted the FY2008 Safer Grant; and,

WHEREAS, Chief Randall J. Pavlak is requesting under the terms of the FY2008 Safer Grant the appointment of Daniel M. Logan as a Part-time Firefighter/Paramedic in support of the Sugarcreek Township Fire Department goals and objectives; and,

WHEREAS, funds for this position are allocated out of the FY2008 Safer Grant; and,

WHEREAS, Part-time Township employees are hired with the expectation that the employee(s) will work not more than one-thousand five-hundred (1,500) hours total in any year, calculated annually from the date of part-time appointment; and,

WHEREAS, the Board of Trustees amended Resolution 2012.12.17.07 to state “that effective February 1, 2013, all part-time employees shall be scheduled to work not more than twenty-four (24) hours in any work week and effective March 31, 2013, part-time employees shall be permitted to work not more than twenty-eight (28) hours total in any work week”,

NOW THEREFORE, BE IT RESOLVED, that Daniel M. Logan shall be appointed to the position of Part-time Firefighter/Paramedic.

FURTHER BE IT RESOLVED, that this position shall have an effective date of April 15, 2013, with a one (1) year probationary period ending on April 15, 2014.

Mr. Pittman moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

G. Declaration of Excess Fire Property

Resolution# 2013.04.15.04

WHEREAS, the Sugarcreek Township Fire Department has identified equipment which is no longer needed for operations, and;

WHEREAS, the items listed on the attached correspondence have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby declares this property to be excess and directs the appropriate disposition of this property.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Chief Pavlak said they are required to perform load tests on their equipment and some of the ladders and hoses failed to pass the test.

H. Resignation of Volunteer Safety Officer/Captain John R. Belcher

Resolution# 2013.04.15.05

WHEREAS, Volunteer Safety Officer/Captain John R. Belcher has submitted his letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Belcher has been a member of the Sugarcreek Township Fire Department since April 7, 2003, and,

WHEREAS, Chief Randall J. Pavlak recommends we accept the resignation of John R. Belcher,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of John R. Belcher effective April 15, 2013.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Chief Pavlak said he would like to come back if personal circumstances change.

I. Resignation of Part-time Safer Firefighter Nathan S. Richards

Resolution# 2013.04.15.06

WHEREAS, Safer Firefighter/EMT Nathan S. Richards has submitted his letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Richards has been a member of the Sugarcreek Township Fire Department since November 15, 2010, and,

WHEREAS, Chief Randall J. Pavlak recommends we accept the resignation of Nathan S. Richards,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of Nathan S. Richards effective April 15, 2013.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Police Department

J. Declaration of Excess Property

Mr. Tiffany aid this Resolution needs changed to include transfer of the property to the Greene County Career Center. Mr. Tiffany said he will read the Resolution as to be changed and someone can say 'so moved'.

Resolution# 2013.04.15.07

WHEREAS, the Sugarcreek Township Police Department has identified equipment which is no longer needed for operations, and;

WHEREAS, the items listed on the attached correspondence have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby declares this property to be excess and directs the transference of this property to the Greene County Career Center.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

- K. Probationary Release of Full-time Dispatcher Kimberly A. Fink

Resolution# 2013.04.15.08

WHEREAS, Dispatcher Kimberly A. Fink has been a member of the Sugarcreek Township Police Department since November 5, 2012; and,

WHEREAS, during her probationary period, Mrs. Fink has not satisfied the requirements of her position,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees does hereby authorize the probationary release of Kimberly A. Fink from her duties as full-time Dispatcher effective April 5, 2013.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Mr. Pittman said we have one more item listed on the agenda and one more that is not.

Zoning Department

- I. Initiate Text Amendment Changes

Resolution# 2013.04.15.10

WHEREAS, ORC 519.12 authorizes the Board of Trustees to initiate amendments to the Zoning Resolution by passage of a Resolution; and,

WHEREAS, the Board of Sugarcreek Township Trustees deems it in the best interest of the community to initiate text amendments to add a PUD-R (Planned Unit Development-Residential) District and to amend any other sections of the Zoning Resolution impacted as a result of the addition of this district; and,

WHEREAS, the Board of Sugarcreek Township Trustees desires that the Sugarcreek Township Zoning Commission work with staff to address the areas at risk for annexation by potentially providing for additional options for development; and,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby initiate a text amendment to the Zoning Resolution to add a PUD-R (Planned Unit Development-Residential) District and instructs the Township Planner/Zoning Official to certify this Resolution to the Board of Zoning Commission.

Cara said this will direct the BZC to work on drafting an additional option for development in the Township, specifically targeting those areas that may be subject to annexation so we can get ahead of possible future annexations. Cara said it will put another tool in our tool box. Mrs. Daugherty said it is very important that we do this.

Mr. Bryant moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Mr. Pittman said we have one additional Resolution not included on our agenda and it will be to terminate insurance benefits and paid time off for part-time employees.

Administration Department

M. Termination of Medical Benefits for Part-time Employees

Resolution# 2013.04.15.09

WHEREAS, in light of the Patient Protection and Affordable Care Act (PPACA), the Sugarcreek Township Board of Trustees decided to review the benefit plan structure as it applies to part-time employees, and;

WHEREAS, after said review, the Board of Trustees determined that it would be in the best interest of the township, as well as the part-time employees, to terminate medical insurance benefits and Paid Time-Off offered to newly hired and current part-time employees, and;

WHEREAS, this change in medical benefit structure will be effective at the end of the current plan year, August 31, 2013, for current part-time employees who are already participating in the medical insurance plan and effective immediately for newly hired part-time employees as well as current employees who are not already participants in the medical insurance plan, and;

WHEREAS, this elimination of Paid Time-Off will be effective August 31, 2013 for current part-time employees and effective immediately for newly hired part-time employees. Any accumulated Paid Time-Off hours not used will be paid out the first pay period following August 31, 2013.

WHEREAS, Current employees Consolidated Omnibus Budget Reconciliation Act (COBRA) information will be provided to all part-time employees who are current participants in the medical insurance plan,

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees does hereby terminate the medical insurance benefits and Paid Time-Off for part-time employees as stated above.

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

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

Mr. Bryant said this is not an easy thing to do. He said we value our part-time employees like we do our full-time. He said with Obama care coming down the road and fiscal pressure from the State it's just something that we need to do. Mrs. Daugherty said we feel bad about it but it is something we have to do.

9. Trustee/Staff Discussion

Mr. Bryant said the Bellbrook Color Guard won a gold medal at the WGI, which is the World Guard International Competition. He said his daughter was in the Color Guard and it is a prestigious award. He said he would like, in accordance to precedence, have a Resolution honoring them and perhaps they could come to one of our meetings. Mr. Pittman said he thought that was a good idea. Mrs. Daugherty also thought it was a good idea and that her daughter had been in the Bellbrook Color Guard also.

10. Public Comments

Mr. Jim Martin said regarding the Dispatch issue and Mrs. Daugherty's comments about the decision is the Boards that he didn't see where having the opinion of the public would change that. Mr. Martin said he thought the Board would want the input of the people but they didn't have to do what they had to say. He said all upper levels of government are pushing for consolidation and he believed in the next several years there will only be three or four dispatch centers in the State. Mr. Martin said we cannot buck this, but he has concerns. He said one is that it may be under the Sheriff's Department's control. Mr. Martin said, however, that he was told that it will be controlled by an independent board to oversee the operation. He said he is still not satisfied that the costs won't go up and that we won't have problems that we are not having now. Mr. Daugherty, for the record, re-read the statements from her notes Mr. Martin referred to and said her statements agreed with those of Mr. Martin.

Mrs. Donna Hellman thanked everyone who attended the Eagle Rise Homeowner's Association meeting. She said she is a board member and was pleased to see the turnout for the meeting.

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

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

The meeting adjourned at 8:05 pm.

Theodore L. Hodson, Fiscal Officer