

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on June 20, 2011, at 7:30 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Chairperson Dick King called the Regular Session to order at 7:30 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Hodson called the roll with Board Members Dick King and Nadine Daugherty being present. Mr. Pittman was absent. In addition to Township Administrator, Barry Tiffany, others present who signed in were Scott Bryant, Jim Martin, Katherine Ullmer and Donna Hellman.
4. **Community Activities**
5. **Reports**
 - A. **Fire**

A report prepared by Chief Pavlak is appended.
 - B. **Police**

A report prepared by Chief Flick is appended. Chief Flick said the Bike Rodeo has been rescheduled for June 23, 2011.
 - C. **Roads and Services**

A report prepared by Tracey Messer, Director of Roads and Services, is appended.
 - D. **Zoning**

A report prepared by Cara Tilford, Township Planner/Zoning Official, is appended. Cara said she was about ready to order the marketing bags for the Farmers Market. Mrs. Daugherty asked what was being put on the bags. Cara said she was planning on our Township Logo and 'Sugarcreek Farmer's Market' in white on a dark green bag. Mr. King noted that the bags would be funded by sponsors or by contributions from the Community Outreach Fund and not from tax payer's dollars.
 - E. **Trustees**

Mrs. Daugherty said she has been working with the Little Miami River clean up project and they now have many volunteers to help.
6. **New Business**
 - Fiscal Office**
 - A. Payment of Bills

Mr. King moved to accept the Payment of Bills as presented by the Fiscal Officer. Mrs. Daugherty seconded. Roll was called with the vote being as follows:
Mrs. Daugherty – Yes
Mr. King - Yes

Fire Department

- B. Appointment of Volunteer Firefighter Brandon S. Kerns

Resolution # 2011.06.20.01

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

WHEREAS, Brandon S. Kerns has acquired and demonstrated all the necessary qualifications to serve in the capacity of Volunteer Firefighter for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Pavlak, in his June 8, 2011, correspondence to the Township Administrator, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2011 Operating Budget,

NOW THEREFORE, BE IT RESOLVED, that Brandon S. Kerns shall be appointed to the position of Volunteer Firefighter within the Sugarcreek Township Fire Department effective June 20, 2011.

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

Mrs. Daugherty – Yes
Mr. King - Yes

Mr. Kerns was present at the meeting and came forward to be personally welcomed by the Board and the Staff.

C. Authorizing the Sugarcreek Township Fire Chief to Solicit Bids for a New First Responder

Resolution # 2011.06.20.02

WHEREAS, the uninterrupted operations of the Township are necessary for the preservation of health, safety and general welfare; and,

WHEREAS, the Fire Department has demonstrated a need for a new First Responder; and,

WHEREAS, Randall J. Pavlak, Fire Chief, will solicit, on behalf of the Township Board of Trustees, bids for a new First Responder truck to include the cost of all necessary equipment for operation; and,

WHEREAS, Randall J. Pavlak, Fire Chief, in conjunction with the Township Administrator, will review the bids and present them to the Board of Trustees for consideration,

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the Fire Chief to proceed with the solicitation of bids, on behalf of Sugarcreek Township, for the purchase of a new First Responder truck to include the cost of all necessary equipment for operation.

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

Mrs. Daugherty – Yes
Mr. King - Yes

Mr. King asked Chief Pavlak if he would provide written information to the Board regarding justification for the purchase of the new truck. Chief Pavlak responded that he would.

D. Resignation of Part-time Firefighter/Paramedic Ermelinda Irvin.

Resolution # 2011.06.20.03

WHEREAS, Firefighter Ermelinda Irvin has submitted her letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mrs. Irvin has been a member of the Sugarcreek Township Fire Department since August 18, 2005, and,

WHEREAS, Chief Randall J. Pavlak indicated in his May 23, 2011, correspondence that Firefighter Irvin has no monetary obligation to the Township and recommends we accept her resignation,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of Ermelinda Irvin effective June 6, 2011.

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

Mrs. Daugherty – Yes
Mr. King - Yes

Chief Pavlak spoke highly of Ermelinda's contributions to the Department and thanked her for her service. Chief Pavlak said she is still involved in the Care Flight training program with Miami Valley Hospital.

Roads and Services Department

E. Replacement Increase Road Levy

Resolution # 2011.06.20.04

WHEREAS, this Board of Sugarcreek Township Trustees has determined the necessity of levying a tax outside the ten mill limitation; and,

WHEREAS, the Ohio Revised Code (ORC) Section 5705.19 (G) authorizes submission of the question of the tax for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in townships; and,

WHEREAS, this proposed levy is a replacement of the existing .80 mill levy renewed last in August 2006, along with an increase of .60 mills, for a total of 1.4 mills, commencing tax year 2011 first due in calendar year 2012 for a five (5) year period; and,

WHEREAS, this proposed levy was previously voted on prior to 1980, renewed in November 1982, renewed in November 1987, replaced in June 1992, replaced in November 1996, renewed in May 2002, and renewed in August 2006, set to expire in 2011; and,

WHEREAS, this proposed levy will be placed on the ballot for the November 1, 2011, General Election with a beginning collection date of 2012 and ending in 2016,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees is requesting the County Auditor to certify the total current valuation and dollar amount of revenue that would be generated by said millage,

FURTHER, BE IT RESOLVED, when certification from County Auditor is received, this Resolution will be certified to the Board of Elections in the manner and within the time prescribed by the applicable section of the Ohio Revised Code along with the County Auditor's estimate.

Mr. Tiffany read a statement from Mr. Pittman to state his position on the levy in his absence. Mr. Pittman stated that the Road Department has received no increase in levied funds for fifteen years even though gas, asphalt and salt prices have risen substantially. He said it is not easy to go to the tax payers for additional monies in these difficult economic times we have to maintain our roads and therefore his is in favor of placing this levy on the ballot. A copy of Mr. Pittman's statement is appended.

Mr. Tiffany provided a slide presentation regarding costs when the original levy passed and costs today along with other pertinent information including increased road standards, age of some of our roads, new road construction, additional mileage and other factors increasing the cost of our road maintenance.

Mr. King asked when standards were raised. Mr. Tiffany said inspections on developments by the County were not as stringent as they are now. Mr. Messer has found that some of current problems could have been prevented with a more stringent investigation by the County and has been working with the Greene County Engineer to assure all new roads are to specification prior to sign off.

Mrs. Daugherty asked Tracey how he establishes his repair priorities. Mr. Messer said he has set up a rating system and inspects the roads every year. He scores them against the rating system and sets the priority accordingly. Mrs. Daugherty said she would like to see developers help to a higher standard. Mr. Tiffany said it is under County control when a developer is released. He said he would like the roads in developments done for a year before the final course is put on. Mrs. Daugherty complimented Tracey on the excellent job he has been doing. Mr. King said infrastructure is the key to the soundness of a community.

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

Mrs. Daugherty – Yes
Mr. King - Yes

Administration

- F. Declaring a Nuisance at 4378 State Route 725

Resolution # 2011.06.20.05

WHEREAS, the Ohio Revised Code 505.87 provides for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township; and,

WHEREAS, the Township Planner/Zoning Official has inspected the property at 4378 State Route 725 and has observed vegetation and noxious weeds exceeding 12” in height; and,

WHEREAS, at least seven days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner’s maintenance of which has been determined by the Board to be a nuisance; and,

WHEREAS, if such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within seven (7) days, the Board shall provide for the abatement, control, or removal, and any expenses incurred by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby determines that the maintenance of the vegetation at 4378 State Route 725 does constitute a nuisance and orders the Township Planner/Zoning Official to proceed with the abatement, control, or removal of such vegetation in accordance with the provisions of ORC 505.87.

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

Mrs. Daugherty – Yes
Mr. King - Yes

7. Trustee/Staff discussion

Chief Pavlak talked about the recent abuse cases involving bath salts. He said he would like the Board to encourage our representatives to get involved with the problem. Mr. King made a motion for a Resolution, which he constructed verbally to be refined later, to be sent to our Congressional Legislators. Mrs. Daugherty seconded.

G. Letter in Support of Legislation Against "Bath Salts" Abuse

Resolution # 2011.06.20.06

WHEREAS, it has been brought to the attention of the Board of Sugarcreek Township Trustees by Fire Chief Randall J. Pavlak and Police Chief Gilbert A. Flick that bath salts are a health issue and an abusive chemical product; and,

WHEREAS, Barry P. Tiffany, Township Administrator, has been in contact with State Senator Widener's office; and,

WHEREAS, legislation has been introduced by our state legislature to make the purchasing of this substance illegal and to remove said substance from public sale,

THEREFORE BE IT RESOLVED, this Board of Sugarcreek Township Trustees hereby endorses and supports the passage of such legislation in the interest of the health, safety, and welfare of the general public.

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

Mrs. Daugherty – Yes
Mr. King - Yes

8. Public Comments

Mr. Jim Martin said that times are tough but he is willing to pay for the Road Levy. Mr. Martin said the primary duty of the Trustees is to take care of the roads.

Mr. Scott Bryant said Roads are important and echoes Mr. Martin in that respect. Mr. Bryant said he hoped to here what are the costs for doing certain things and what are the base operating costs. He said he didn't get that tonight. Mr. Bryant said he is not clear on what is in the \$187,000.00 levy budget. He would like to have seen some more detail. If you do a bottom up analysis you can determine what is needed. He said his concern was not that the new levy is too high or low but is it just right. Mr. Bryant said he did not see an analysis of the current budget and need.

Mr. Messer we have currently been doing two to two and one half mile of road maintenance per year. We have fifty mile of road and need to do five miles per year. The money asked for in this levy will get us to that point.

Mr. Bryant said he liked the idea of the bags fro the Farmer's Market. He said this is a real opportunity for revenue for the Township. He said we could easily generate corporate sponsorship for cost of the bags and turn around and sell them for a dollar and a half or two dollars.

Mrs. Donna Hellman asked Mrs. Daugherty, when she had earlier referred to old roads, what is old versus not so old. Mrs. Daugherty said she was referring to roads like Conference and Carpenter, not the developments maybe ten years old or so. Mrs. Hellman said from listening to the Levy presentation she got the idea nothing was being paved but only patched. Mr. Messer said that was correct. Mrs. Hellman said we need to get the information out to the community that if we don't pass the levy we will no longer be able to maintain the roads. She also said she hoped tonight's presentation would be on the website.

Mr. Tiffany said after the comments from Mr. Bryant he needed direction from the Board on the Farmer's Market bags. He said the concept of selling the bags foreign to him. Mr. King said he does not want to sell the bags and does not want taxpayer dollars to be used for them. Mrs. Daugherty said she doesn't want to sell them but likes the idea of sponsors. If we could get sponsors we could get more and more every year. Mr. King said he thought a contribution or donation for the bags would be okay. Cara said she viewed them as promotional and we should give them away. Mrs. Daugherty said she agreed with Mr. King that there would be nothing wrong with a contribution.

Mr. Tiffany said he thought the sponsor should be limited to the first five or less to make the bags presentable and not all print and logos.

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

Mrs. Daugherty – Yes

Mr. King - Yes

The meeting adjourned at 8:44 pm.

Theodore L. Hodson, Fiscal Officer