

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on July 18, 2011, at 7:30 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Chairperson Dick King called the 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, Nadine Daugherty and Mike Pittman being present.

In addition to Township Administrator, Barry Tiffany, others present who signed in were Jim Martin, Jim Tharpe, Katherine Ullmer, Sharron McGinnis, Scott Bryant, Steve Knopp and Donna Hellman.

Mr. Tiffany suggested that we skip to the appointment of new personnel since many family members were present and may not be able to stay long. Mr. King agreed and moved ahead to New Business.

Fire Department

B. Appointment of Part-time SAFER Firefighter/EMT Conner R. Trenum

Resolution # 2011.07.18.01

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 Connor R. Trenum as a Part-time Firefighter/EMT 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,

WHEREAS, that Part-time Township employees are hired with the expectation that the employee(s) will work not more than one-thousand five-hundred (1500) hours total in any year, calculated annually from the date of part-time appointment.

NOW THEREFORE, BE IT RESOLVED, that Connor R. Trenum shall be appointed to the position of Part-time Firefighter/EMT at the pay rate of \$8.94 per hour having an effective date of July 18, 2011, with a one (1) year probationary period ending on July 18, 2012.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

Mr. Trenum was present and came forward to be personally welcomed by the Board and Staff. Katherine Ullmer and Cara took pictures.

Police Department

C. Appointment of Part-time Police Officer Timothy A. Pyles

Resolution # 2011.07.18.02

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

WHEREAS, a vacancy exists within the classification of part-time Police Officer; and,

WHEREAS, the vacancy has been posted for application in accordance with township policy and the current labor contract; and,

WHEREAS, an assessment center was conducted which included testing in basic exercises, review board and personal interviews with the Township Administrator; and,

WHEREAS, after a review of all the candidates, Police Chief G.A. Flick recommends this appointment, and there are funds available for this position in the 2011 operating budget,

WHEREAS, part-time Township employees are hired with the expectation that the employee(s) will work not more than one-thousand five-hundred (1500) hours total in any year, calculated annually from the date of part-time appointment.

NOW THEREFORE, BE IT RESOLVED, that Timothy A. Pyles is hereby appointed as part-time Police Officer effective July 18, 2011, at a pay rate of \$14.94 per hour, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending July 18, 2012, contingent upon successful completion of final employment testing.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

Mr. Pyle came forward and took the Oath of Office administered by Chief Flick. The Board and Staff personally welcomed him afterwards. His picture was taken with Chief Flick and Captain Deaton, followed by pictures with the Board and Staff.

G. Retirement of Chief of Police Gilbert A. Flick

Resolution # 2011.07.18.07

WHEREAS, Gilbert A. Flick, Police Chief, submitted his letter of retirement from the Sugarcreek Township Police Department with an effective date of September 4, 2011, (copy attached hereto and incorporated herein); and,

WHEREAS, Gilbert A. Flick has served as Chief of the Sugarcreek Township Police Department since March 9, 2009; and

WHEREAS, this Board of Trustees and Township Administrator Barry P. Tiffany would like to publicly thank Mr. Flick for his dedication of service to this community and for his service with distinction over the past 37 years in law enforcement.

NOW THEREFORE, BE IT RESOLVED, that this Board of Township Trustees officially accepts, with regret, the retirement of Gilbert A. Flick from the Sugarcreek Township Police Department effective September 4, 2011.

FURTHER, BE IT RESOLVED, that this Board of Trustees wishes Mr. Flick the very best in retirement for many years to come.

Mr. Pittman moved to accept Chief Flick's letter of retirement and the above Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

Mr. Tiffany and all the Trustee's personally thanked Chief Flick for his outstanding service and wished him the best in his retirement.

4. Reports

A. Administration

Mr. Tiffany said the River Keepers Clean up was done and it was a great success. He said Centerville has prepared their arguments for the Supreme Court of Ohio to consider the Dille Annexation issues. Mr. Tiffany said he has been working with our Attorneys preparing arguments why the decisions from the lower court were sound and the issue did not need to be considered by the Supreme Court. He also said the Lions Club have their annual festival coming up next month.

B. Fiscal Officer

Mr. Hodson provided a brief summary of the Budget Hearing held July 13, 2011. He said we have a viable Budget for 2012. However, the General Fund and the Roads and Services Funds are struggling financially. Mr. Hodson said he has informed the Board they will need to monitor these funds closely and possibly make budget corrections if needed. He said the passage of the Roads and Services Fund Levy is crucial. If it does not pass budget adjustments will have to be made which will impact our ability to maintain our current service levels.

C. Fire

A report prepared by the Fire Department is appended. Chief Pavlak said, while attending the Fire Chief Conference in Columbus, he had the opportunity to talk to Governor Kasich. As a result, he said he will be meeting with a couple of members of Governor Kasich's Cabinet. Chief Pavlak said they will discuss several issues regarding the State Budget cuts from the viewpoint of the Townships and small business. Chief Pavlak talked about the storm last week and all the roads closed by downed trees. He said he was very pleased with the performance of his Department, and the Police and Roads Departments. Chief Pavlak said he has had several bids for the concrete repair work at Station 71 and the best one was \$2800.00. Mr. King said he thought the Chief should proceed with the repairs and asked the Board if he agreed. Mr. Pittman and Mrs. Daugherty said they were in agreement.

D. Police

A report prepared by the Police Department is appended. Chief Flick said he had nothing additional to add.

E. Roads and Services.

A report prepared by Tracey Messer, Director of Roads and Services, is appended. Mr. Messer said he had no additional comments.

F. Zoning

A report prepared by Cara Tilford, Township Planner/Zoning Official, is appended.

Mrs. Daugherty asked Cara if we advertised for BZA openings. Cara said we do advertise for openings but not for reappointments.

G. Trustees

Mr. Pittman said he received a letter from a Citizen complimenting the Roads and Services department on the clean up after the storm. Mr. Pittman said the Sugarcreek Local Schools were listed among the top 500 schools in the Nation. He said he thought we were number 309. He said we pay a lot of school taxes but we have an excellent school system. Mr. Pittman said the River clean up was a big success. Mr. Tiffany said there was a picture in the paper of him actively engaged in the clean up. Mr. Pittman said he saw a show on the National Geographic Channel on TV that showed the horrific crash on 675. They did an analysis of that accident and others. Mr. Pittman said he attended the Open House for the new Advanced Dentistry Group. Cara said they are one of the sponsors on our new Farmer's Market bags. Mr. Pittman said we have four sponsors for the new bags.

Mrs. Daugherty said the River Clean up was a big project and was impressed with all of the volunteers to help and donations provided to make it happen. She said all of that cooperation and support made her feel good. Mrs. Daugherty read two E-mails complimenting the performance of the Roads and Services Department.

5. New Business

Fiscal Office

A. Payment on Bills

Mr. King moved to accept the Payment of Bills as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

Administration

D. Certifying expenses for Nuisance Abatement to the Greene County Auditor at 2107 Stewart Road

Resolution # 2011.07.18.03

WHEREAS, the Board of Trustees declared the property at 2107 Stewart Road a nuisance in Resolution 2010.09.20.10 (attached); and,

WHEREAS, the Township Planner/Zoning Official issued notice, by certified mail, of the nuisance abatement and responsibilities therein to the lien holders of record, of 2107 Stewart Road; and,

WHEREAS, Ohio Revised Code 505.87 (attached) allows the owner seven (7) days to abate, control or remove such vegetation, garbage, refuse or debris or to make provision for its abatement, control or removal; and,

WHEREAS, since no response was received from the owner of 2107 Stewart Road, the Township Planner/Zoning Official made contact with the Sugarcreek Township Roads and Services Department to control the vegetation, garbage, refuse or debris; and

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby certifies expenses for said nuisance abatement in the amount of Five-Hundred Sixty-Two Dollars and Forty-Five cents (\$562.45) for mowing and certified mail costs to the Greene County Auditor and any interest or other charges that may be applicable.

FURTHER BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby requests the Fiscal Office submit a written report to the Greene County Auditor of the Board's action.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes

Mr. King – Yes

E. Encouraging Greene County to Consider Incorporating Increased Standards into the Flood Damage Reduction Resolution

Resolution # 2011.07.18.04

WHEREAS, the Federal Emergency Management Agency (FEMA) has established minimum floodplain management requirements for communities participating in the National Flood Insurance Program (NFIP); and,

WHEREAS, communities must also enforce more restrictive State requirements; and

WHEREAS, FEMA recommends that communities seriously consider enacting regulations that exceed the minimum state and federal criteria; and,

WHEREAS, the Chief Building Official for Greene County serves a dual role as Floodplain Administrator and is duly trained as such for the unincorporated areas of Greene County, including Sugarcreek Township; and,

WHEREAS, floodplain management is a county function and the evaluation of increased standards is best handled by Greene County and not the Sugarcreek Township Board of Zoning Commission; and,

WHEREAS, many of the increased standards that FEMA recommends communities consider are eligible for credit under the Community Rating System (CRS), a program which provides insurance premium discounts to policyholders in communities with more restrictive floodplain management programs managed by counties and cities; and,

WHEREAS, this Board of Trustees recognizes that taxpayers have a vested interest in the county's consideration of increased standards through the greater protections they may provide and through potential reductions in flood insurance premiums.

NOW THEREFORE, BE IT RESOLVED, this Board of Sugarcreek Township Trustees urges Greene County to evaluate the current Flood Damage Reduction Resolution and consider if enacting regulations that exceed the minimum state and federal criteria would better serve and protect the unincorporated areas in Greene County.

Mrs. Daugherty asked if Cara of Barry would like to provide a little more information on the Resolution. Cara said that after declining the Little Miami River Overlay District Zoning the instead of reinstating the Flood Plane Zoning it would be better to ask the County for an evaluation of increased standards for floodplain management. She said the Resolution explains why the County would be better suited for Floodplain management than the Township. Mr. Pittman said their expertise is better than ours and we don't have the manpower to oversee this type of function.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

F. Recognition of the Little Miami River Keepers Clean Sweep

Resolution # 2011.07.18.05

WHEREAS, the Little Miami River Keepers was formed in 2010 by residents Hope Taft and Steve Knopp for the purposes of promoting, preserving and protecting the Little Miami River as the first designated National Wild and Scenic River; and,

WHEREAS, on July 9 and 10, 2011, over 380 volunteers assisted in Clean Sweep, 2011, and cleaned over 17,000 pounds of trash from the entire 105 mile length of the Little Miami River; and,

WHEREAS, the complete clean-up of the Little Miami River was last undertaken in 1971, forty years ago; and,

WHEREAS, this Board of Trustees recognizes the Little Miami River as one of the most valuable natural assets to the community and the region; and,

WHEREAS, this Board of Trustees further recognizes that this National Wild and Scenic River will only remain as such with the continued efforts of groups such as the Little Miami River Keepers; and,

WHEREAS, this Board of Trustees further recognizes the individual efforts of Mrs. Hope Taft, Mr. Steven Knopp, Ms. Melissa Kocher of the Division of Watercraft, Mr. Aaron Rourke of Rivers Unlimited, Mr. Mark Chancey, Ms. Beth Owens, Mr. Tom Conlon and countless others who participated in the event.

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Trustees extend their appreciation to this group of individuals for taking the time to preserve this national scenic waterway.

Mr. Pittman said Mr. Knopp was present tonight and thanked him for the work he and Hope Taft have done. Mr. Knopp thanked the Board, the Township employees and the Citizens who helped on this project.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

6. Trustee/Staff discussion

Chief Pavlak said he has received an EMS Grant of \$3,000.00 for equipment. Mrs. Daugherty told Mr. Martin she was proud to read the article in the paper about him.

Mr. Martin said he did nothing unusual, just what he had signed up to do. A lot of others did the same thing. Mr. Martin said he had a great time on the trip and was treated well by all. He said Katherine Ullmer deserve a great deal of credit for doing a good job writing the article.

7. Public Comments

Mr. Scott Bryant congratulated the Chief of Police on his retirement and said he will be hard to replace. Mr. Bryant said it might be helpful if we track our budget over the year comparing what was forecast to what was actually spent. Mr. Tiffany said that we do. Mr. Hodson said that the Trustees and Department heads receive monthly reports for each fund showing line item actuals, year to date, and the amount appropriated for expenditure along with the percent of appropriation spent to date. He said the same information is also reported for the fund totals.

Mr. Jim Martin asked why we need the River clean up every year. He said he doesn't understand where all the trash is coming from. Mr. Martin said, outside of the roads, zoning is the most important function of the Board. He said our zoning is abysmal and we have lost two large parcels of land. Mr. Martin said he has asked for the removal of Mr. Schieman from the BZC two times. He said he has trespassed on private land, the police have turned in a report on it and he has been video taped destroying campaign signs. Mr. Martin said he spoke in the hearing on the little Miami River Overlay District and did not tell the public he had a conflict of interest. He brought in people to speak to support his position. He said if you're on a board you don't bring in people to plug your position. Mr. Martin said if you won't remove him tell me why not. He said zoning will come to the forefront when things pick up. He said we need to welcome new business and work with them. He said you should be out courting new business. Mr. Martin said if he stays on he wants the reasons and if he does we should get rid of our Code of Ethics. Mr. Pittman said Mr. Martin posed a fair question but in defense stated that the Board recently met with a developer to make it easier to for him to implement his plan. Mr. Martin said I appreciate your comments but why are you keeping Mr. Schieman on.

Mr. Pittman – Yes
Mrs. Daugherty – Yes

Mr. King – Yes

Mr. King moved to adjourn to Executive Session at 8:40 pm for personnel reasons. Mr. Pittman seconded. Roll was called with the vote being as follows:

The meeting reconvened at 9:00 pm with the following action taken.

Resolution # 2011.07.18.08

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

WHEREAS, a vacancy exists within the classification of full-time Police Chief; and,

WHEREAS, Assistant Chief James K. Deaton has been employed with Sugarcreek Township since January 22, 1996, starting out as a part-time patrolman and being promoted to the ranks of full-time Sergeant, Police Lieutenant, and Captain with this position being reclassified to that of Assistant Chief at the Rank of Captain; and,

WHEREAS, Assistant Chief James K. Deaton has shown himself to be a dedicated employee with excellent leadership qualities; and,

WHEREAS, Assistant Chief James K. Deaton brings years of experience as a police officer, valuable training and a proven track record as a supervisor; and,

WHEREAS, Assistant Chief James K. Deaton meets all the requirements for this promotion and accepts full responsibility for the position; and,

WHEREAS, Barry P. Tiffany, Township Administrator, recommends this promotion, and there are funds available in the 2011 budget,

NOW THEREFORE, BE IT RESOLVED, that Assistant Chief James K. Deaton is hereby promoted to the position of full-time Police Chief with an effective date of September 5, 2011, with an annual salary of \$72,115.31, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending September 5, 2012.

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

The Board congratulated Captain Deaton on his promotion and expressed their confidence in his ability to perform the duties of Chief.

Mr. King moved to adjourn to Executive Session for personnel reasons. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

The meeting reconvened at 9:23 pm with the following action taken:

Resolution # 2011.07.18.06

WHEREAS, the five-year term of Board of Zoning Appeals member Erin B. Moore is due to expire on July 31, 2011; and,

WHEREAS, Erin B. Moore has served as a Board of Zoning Appeals member since August 1, 2006; and,

WHEREAS, the Board of Zoning Appeals plays a pivotal role in the land-use decisions for Sugarcreek Township; and,

WHEREAS, it is imperative that all positions on the Board of Zoning Appeals be filled with citizens who will make decisions that are always in the best interest of Sugarcreek Township; and,

NOW THEREFORE, BE IT RESOLVED, that Erin B. Moore is hereby re-appointed to the Board of Zoning Appeals for a five-year term beginning August 1, 2011, and expiring on July 31, 2016. (Said appointment made pursuant to the Ohio Revised Code, Section 519.13.)

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

Mr. Pittman – Yes
Mrs. Daugherty – Yes
Mr. King – Yes

Mr. King moved to adjourn to Executive Session again for personnel reasons at 9:25 pm.

The meeting resumed at 9:40 pm with no action taken and promptly adjourned.

Theodore L. Hodson, Fiscal Officer