

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on November 21, 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 Scott Bryant, Jim Martin, Darrin Fussner, Heath Williams, John Hahn and Donna Hellman.
4. Allison Jenks, Parks District. Ms. Jenks said she is partnering with a High School group who wants to bring back 'Christmas in the Park' at Bellbrook Park. She said there will be an edible crafts table and a coloring contest among the activities. Ms. Jenks asked all attending to bring a canned good and a hat or a scarf to donate to the Family Resource Center. She said there will be hot drinks, caroling and a visit by Santa.
5. Linda Baker. Lt. Josh Johnson came to the podium to recognize several members of the Fire Department. The Department responded to an EMS call by Baker Family. Lt. Johnson read a letter from Southview Hospital thanking the EMS crew. The hospital thanked them for their diligence in reading the situation and for standing by if needed for transport to Kettering Hospital. Mrs. Linda Baker spoke and said she was very happy to be here. She said she very easily might not have had this opportunity. She said she couldn't begin to tell them how nice it is to be here and wished there was more she could do for them. Chief Pavlak presented Letters of Recognition to Ginger B. Williams, Terry Trepanier, Amber Fritz, Michael Sacksteder, Kevin Zehring and Logan Wise. Chief Pavlak thanked all for doing their job and giving us the opportunity to spend time with Linda and her family.

6. Community Activities

7. Reports

A. Administration

A report prepared by Township Administrator Barry Tiffany is appended. Mr. Tiffany said he and Karen Shroyer attended a Sunshine Laws training seminar on behalf of the Trustees and Fiscal Officer to maintain compliance with the State of Ohio Revised Code. He said he had received letters concerning the appointment of several Eagle Scouts and thought it would be nice if they were asked to attend a meeting to be recognized.

B. Fiscal Office

C. Fire

A report prepared by the Fire Department is appended. Chief Pavlak said the old medic that had been refurbished was outside and could be looked at by those interested. He also said the Fire Prevention Grant the Department had applied for was denied. Chief Pavlak said we were one of two thousand that had applied. Mrs. Daugherty asked if Rescue 70

needed more repairs. Chief Pavlak said the rear springs broke. Mrs. Daugherty asked about the cost. Chief Pavlak said it will be one thousand seven hundred dollars. Mr. Pittman said he would like to discuss the replacement of the truck at the next work session. Mrs. Daugherty said she would like to pass a Resolution to replace it tonight. Chief Pavlak said he has an extension on the purchase and the price will hold until the end of the year. Mr. King said, in view of the failure of the Road Department Levy, he is concerned about the upcoming Fire Levy and is concerned about the expenditure. Mrs. Daugherty said she is in favor of the Truck. Mr. Pittman said he would like to talk some more but thought this is a piece of equipment we need. It was decided to discuss the issue at the next work session.

D. Police

A report prepared by the Police Department is appended. Chief Deaton said has a few good suspects for the armed robbery discussed previously. Chief Deaton said they are working with local businesses regarding information exchange and awareness. Chief Deaton gave the Board a boxed sample of Uniform ribbons to review. He said he would like to use them to award the Officers for meritorious duty.

E. Roads and Services.

A report prepared by Tracey Messer, Director of Roads and Services, is appended. Tracey said he received a four thousand dollar grant from the Greene County engineer's Office for Dura-Patch road maintenance.

F. Zoning

A report prepared by Cara Tilford, Township Planner/Zoning Official, is appended. Cara said Mr. Kim, Miami Valley Regional Planning, will be here on the nineteenth of December to speak about their Going Places Initiative.

G. Trustees

Mr. Pittman congratulated Mr. Bryant on his election. Mr. Bryant said it will be official tomorrow. Mr. Pittman told Mr. King they will miss him. Mr. King said it was nice to have a well qualified successor. Mr. Pittman suggested the Board send Mary Graves a Letter of Recognition for her years of service as Mayor of Bellbrook. Mrs. Daugherty also congratulated Mr. Bryant.

8. **Past Action Items**

Mr. Tiffany said he has talked to the Ohio Township Association and to the Greene County Prosecutor's Office regarding the no parking signs in streets near the High School in Kables Mill Development. Mr. Tiffany said he hoped to hear from the Prosecutor by next week. Enforceability is the problem to be resolved. Mr. King suggested a warning sign regarding parking restrictions be placed at the entrance. He said he would like to see people resolve this on-their-own. Chief Deaton said to keep in mind his Officers can issue warning tickets instead of a citation. Mr. Tiffany said they are looking at posting times of 7:00 am to 3: pm on Monday through Fridays on the no parking signs. Mr. Darrin Fussner said he has no problems with Due Process but wants to keep things moving. He said this is a re-occurring issue that will not go away. Mr. Tiffany said part of the time consumption is that it has to be

posted in the papers for three consecutive weeks before it can take effect. Mr. Jim Martin said the signs were put up in the past but later on the residents wanted them removed. He said the school should be able to help with the problem and that may be a better approach than the signs. Mrs. Donna Hellman said Alter had to deal with this same problem. She said they posted no parking signs with restricted hours and days and it definitely helped. The school can only do so much.

Mr. Tiffany suggested we move ahead in the agenda to the hiring of John E. Hoker.

9. **New Business**

Fire

E. Appoint Part-time Firefighter/EMT, John E. Hoker

Resolution # 2011.11.21.04

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 Firefighter/EMT; and,

WHEREAS, Chief Pavlak, in his November 16, 2011, correspondence to the Township Administrator, has recommended the appointment of John E. Hoker as Part-time Firefighter/EMT in support of the goals and objectives of the Sugarcreek Township Fire Department; and,

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

NOW THEREFORE, BE IT RESOLVED, that John E. Hoker shall be appointed to the position of Part-time Firefighter/EMT at the pay rate of \$9.05 per hour.

FURTHER BE IT RESOLVED, that this position shall have an effective date of November 21, 2011, with a one (1) year probationary period ending on November 21, 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

Mr. Hoker came forward and was personally welcomed by the Board and Staff. His family also came forward and all had their picture taken with the Board and Staff and several attending Firemen.

Mr. King called for a five minute break to see the refurbished medic for those who wished to do so.

The meeting resumed at 8:35 pm

Fiscal Office

A. Payment on Bills

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

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

B. Transfer of Appropriations Roads and Services Department.

Resolution # 2011.11.21.01

Debit Fund Name	Credit Fund Name	Amount to Transfer
2031 Roads and Services	3101 Bond Anticipation Notes	\$ 3,600.00

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

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

C. Transfer of Appropriations Police and Fire Departments

Resolution # 2011.11.21.02

Debit Fund Name	Credit Fund Name	Amount to Transfer
2081 Police	3102 Bond Retirement	\$ 46,095.00
2112 Fire	3102 Bond Retirement	<u>\$ 63,665.00</u>
	Total Transfer	\$ 109,750.00

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

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

D. Announcement of a Liquor Permit Application

Resolution # 2011.11.21.03

WHEREAS, an application for a liquor permit was received from QQ Hibachi Buffet, Inc., located at 6030 Wilmington Pike; and,

WHEREAS, this application is for an "A" class permit, allowing the selling of alcoholic beverages at the premises; and,

WHEREAS, through this announcement, this Board of Trustees affords the residents of Sugarcreek Township the opportunity to express comments in writing either for against per the ORC.

NOW THEREFORE, BE IT RESOLVED, that if the Fiscal Officer receives no negative comments by 4:00 pm, November 28, 2011, subject to the Ohio Revised Code, Sugarcreek Township will not file a request for a hearing with the Ohio Department of Commerce, Division of Liquor Control.

Mr. Pittman 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

Roads and Services

F. Roads and Services Austerity Plan and Spring Ballot Issue Authorization

Resolution # 2011.11.21.05

WHEREAS, this Board of Sugarcreek Township Trustees has previously determined the necessity of levying a tax outside the ten mill limitation in Resolution No. 2011.06.20.04; 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, the proposed levy was 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, the 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 was placed on the ballot for the November 8, 2011, General Election with a beginning collection date of 2012 and ending in 2016, where it failed to gain enough affirmative votes for passage; and,

WHEREAS, the funds that the levy would have generated have been determined by this Board of Trustees and the Fiscal Officer to be essential due to the continued rise in the cost of goods and materials that are integral to the maintenance and preservation of the roadways in Sugarcreek Township, and;

WHEREAS, until such a time that a levy is passed by the voters of Sugarcreek Township that is sufficient to generate the funds necessary to properly maintain the Township roadways at the current level the residents enjoy, this Board of Trustees and Fiscal Officer feel it in the best fiscal interest of the community to direct the Township Administrator and Director of Roads and Services to place in effect the following cost saving "Austerity Plan":

AUSTERITY PLAN

1. Resurfacing projects currently planned for the coming year shall be placed on hold indefinitely.
2. Overtime for regular Full-time employees shall be permitted only on an emergency basis as determined by the Director of Roads and Services, or in his absence, by the Township Administrator.
3. Temporary Part-time employees, the Director of Roads and Services, the Township Administrator and the Trustees shall be utilized as much as possible and practical for after-hour call outs and snow removal.
4. The Department will utilize existing road salt inventory and not replenish the supply at this time. Based on the approved cutback of services, the current levels should be sufficient for the coming winter season barring any prolonged snow event of immense accumulation.
5. In the event of a foreseeable snow event, the Full-time personnel hours shall be flexed to accommodate the best use of their experience and skills at the lowest cost to the Township.
6. In the case of a snowfall event that is forecasted to create a total accumulation of 3" or less, the Department will plow and/or salt only the thoroughfares and main hills in the community during the event and will complete the balance of snow removal on the remaining roadways after the snowfall has subsided completely and as personnel are available without creating overtime costs.
7. In the case of a snowfall event that is forecasted to create a total accumulation of more than 3", the Department will plow and/or salt only the thoroughfares and main hills in the community until the accumulation has reached more than 3", at which time the Department will begin removal on the balance of roadways.
8. At no time will this austerity program be used to intentionally create unsafe road conditions; however, the residents must recognize that roadways during the winter months and snow or ice events can be hazardous and they should exercise caution while driving or avoid the use of the roadways whenever possible.

NOW THEREFORE BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby directs the Township Administrator and Director of Roads and Services to implement this Austerity Plan until such a time that they are directed otherwise by the Board.

FURTHER BE IT RESOLVED, that this Board of Trustees does hereby authorize and direct the Director of Roads and Services to place on the ballot for the spring primary in March of 2012, 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 2012 and first due in Calendar Year 2012 for a five (5) year period.

FURTHER BE IT RESOLVED, that this Board of Trustees directs the Director of Roads and Services to request 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 for inclusion on the March, 2012 election ballot.

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. Tiffany provided additional clarification of the 3 inch snow plowing provisions. Mr. Pittman wanted to know if we ran out of salt how long would it take to get more. Mr. Messer said as a Government we could get it from our current source right away.

10. **Trustee/Staff Discussion**

Mr. Fussner said his father, Ralph Fussner, is retiring. He said his father has been on the Bellbrook City Council for seventeen years and has been an Ohio State Patrolman for thirty years. Chief Pavlak said he is a great man and asked Darrin to give him his regards.

Mrs. Daugherty told everyone to get out and vote. She also said she has not seen any negative campaigning and respects that.

12. **Public Comments**

Mr. Jim Martin said at the last meeting there was a discussion about looking into a Sugarcreek Township/ City of Bellbrook Fire District. Mr. Martin said there is a great disparity in assets between the City and Township Fire Departments and a Fire District should not be considered without addressing this issue. Mr. Martin said a new Fire truck presents a real problem since he doesn't see any levies passing for some time.

Mrs. Daugherty mover to adjourn at 9:00 pm. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Theodore L. Hodson, Fiscal Officer