

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on October 15, 2012, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mrs. Daugherty called the session to order at 7:00 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Hodson called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. In addition to Mr. Tiffany, Township Administrator, others present who signed in were Donna Hellman, Amelia Robinson, Jim Martin, Roger Martin, Pam Erd, and Richard Requarth.
4. **Community Activities**
Chief Pavlak said 'Halloween in the Park' is coming up. Cara Tilford said there will be free pony rides and a pumpkin painting exhibition at the Farmer's Market on October 26th.
5. **Informative Meeting on the Road Levy**
Those in attendance said they had already heard Mr. Tiffany's presentation. Mrs. Daugherty said the Board would skip the presentation and continue.
6. **Reports**
 - A. Administration
The report prepared by Mr. Tiffany will be appended to the permanent record. Mr. Tiffany said he had nothing additional to add to his report. Mr. Pittman asked Mr. Tiffany for an update on Indian Wells Trail. Mr. Tiffany said there was a disagreement between the Developer, the residents and the Home Owners Association regarding opening a road to an additional twenty seven acres. He said that the Greene County Regional Planning Commission said there will need to be another access road. Mr. Tiffany said the Developer stated he will start the road regardless of the disagreements from the others. He said he and Cara Tilford attended a meeting that involved all dissenting parties. He said the meeting became rather heated but at the end some agreement had been reached and everything was quiet for now. Mrs. Daugherty asked Mr. Tiffany if there were any further developments regarding the complaints of a Bellbrook resident about a neighboring Township resident having a shooting range. Mr. Tiffany said the Township resident was shooting in a safe manner and has the right to do so. He said we are a member of C.L.O.U.T. (an organization of large Townships) and one of the issues being looked at is control of shooting firearms in densely populated residential areas.
 - B. Fiscal Office
Mr. Hodson said he was informed by the State Auditors Office that they will be doing the 2011/2012 Audit. He said we have bid out our Audits for the last eight years and he is concerned that the State Audit will cost more money. However, he said the Audits are at their discretion whether they do it or have it bid out to a private firm.
 - C. Fire
The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said he had nothing additional to add to his report. Mr. Pittman asked about the MARCS meeting on the 19th of October. Chief Pavlak said it was at the EMA and it was a Greene County Communications Committee update of the MARCS project.
 - D. Police
The report prepared by the Police Department will be appended to the permanent record. Chief Deaton said he wanted to mention there were a couple of burglaries since the last meeting but they don't appear to be related.
 - E. Roads and Services
The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said the guys were doing great. Mr. Pittman asked about the debris on Carpenter Road. Mr. Tiffany said it was already taken care of.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Cara said the October 25th BZA meeting was canceled.

F. Trustees

Mr. Pittman said it was a shame more people didn't attend tonight for the Road Levy presentation. However, two additional people had arrived since the presentation was skipped and when asked, one said he came specifically for the Road Levy. Mr. Tiffany said he would give a quick review of the power-point presentation.

7. **Road Levy Presentation**

A copy of the presentation is appended to the minutes. During the presentation, Mr. Tiffany answered a few questions for Mr. Requarth regarding the endurance of patching versus proper road repairs. Mr. Tiffany also explained improvement in road standards in housing developments today compared to a few years ago. Mr. Pittman said the graphs showing materials costs are a huge part of our problem when we haven't had an increase in revenue since the mid-nineties and particularly with other revenue cuts from the State.

Mrs. Hellman asked what the downside was if it didn't pass. Mr. Tiffany said the Trustees will have to make some tough decisions. He said there would definitely be a cut in services and possibly a loss of employees. Mr. Bryant said Roads and Cemeteries are the top priorities for a Township. Mr. Pittman asked if there would be enough money for our hard costs. Mr. Hodson replied there would not. Mr. Bryant said our hard costs included salt and other things but not road maintenance. Mr. Tiffany said salt is one of our biggest expenses. He said they would have to stop continual snow removal and only remove it after the event. Mrs. Hellman said the 4.8 mil is for replacing the current levy and asked Mr. Tiffany if that would cost seven dollars per one hundred thousand of valuation. Mr. Tiffany said just a little over. Mr. Roger Martin asked about the impact of property devaluation. Mr. Bryant said we have to regain our valuation by replacing the levy and not renewing it.

7. **Old Business**

Mrs. Daugherty asked if any of the items on the list needed addressing tonight. Kable's Mill – Mr. Tiffany said the new parking passes for Kable's Mill will go out tomorrow. He also said the signs will go up October 22nd. Mr. Bryant said there have been no additional complaints from the residents.

Website – Mr. Bryant said our goal is to be up by the end of the month. He said he is looking forward to providing the residents the ability to share their concerns and problems without having to attend a meeting. Mrs. Daugherty said it will be nice to have improved communications with the residents.

Tire Collection and Disposal – Mr. Bryant asked Cara about the upcoming tire collection. Cara said there were sign up sheets available in the hallway. She said thought the disposal costs were about a dollar for a car tire and two dollars for a truck tire. Cara said if you registered you would be contacted with a date to bring your tires in. Feedwire Road Bridge over 675 - Mr. Tiffany said Mr. Geyer currently has no plans for widening the bridge over 675. However, there were plans for widening Feedwire Road from the bridge to Upper-Bellbrook Road.

8. **New Business**

Fiscal Office

A. Approval of Minutes

Mrs. Daugherty moved to approve the minutes for the Work Session and the Regular Session. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Mr. Pittman abstained due to his absence from those meetings.

B. Payment on Bills

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

Mr. Bryant – Yes

Mr. Pittman – Yes
Mrs. Daugherty – Yes

Fire Department

C. Resignation of Part-time Safer Firefighter/EMT Robert J. Symes

Resolution #2012.10.15.01

WHEREAS, Safer Firefighter/EMT Robert J. Symes has submitted his letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Symes has been a member of the Sugarcreek Township Fire Department since October 3, 2011, and,

WHEREAS, Chief Randall J. Pavlak recommends we accept the resignation of Robert J. Symes,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of Robert J. Symes effective October 20, 2012.

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

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

D. Reclassification of Full-time Dispatcher Aaron A. Woodall

Resolution #2012.10.15.02

WHEREAS, Aaron A. Woodall has served as a Full-time Dispatcher with Sugarcreek Township Fire Department since April 2, 2008; and,

WHEREAS, in order to further pursue and advance his career in medicine, Mr. Woodall has expressed a desire to reduce his hours from full-time status to part-time; and,

WHEREAS, funds are available for this purpose within both the Police and Fire Departments 2012 Operating Budgets; and,

WHEREAS, Chief James K. Deaton fully supports Mr. Woodall's decision and requests the Board of Trustees reclassify Aaron A. Woodall from full-time Dispatcher to part-time Dispatcher; 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 Aaron A. Woodall shall be reclassified to the position of part-time Dispatcher effective October 29, 2012, at the hourly pay rate of \$13.44.

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

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

Administration Department

E. Discuss Participation in the Dayton Development Coalition

Mr. Tiffany said he received a letter asking the Township to again participate in the Dayton Development Coalition. Mrs. Daugherty asked how much it cost. Mr. Tiffany said it was \$1000.00. Mr. Bryant asked what we were getting for our \$1000.00. Mr. Tiffany said he was sure we got some Citizens from last years job recruiting efforts in Phoenix. He said the Dayton Coalition is one of six regions in the State of Ohio Development plan. Mr. Bryant asked what they were doing for us. Mr. Tiffany responded they want us to participate in getting businesses and people in the area. He said he had no specifics for the Township directly but with regional jobs and housing it has helped. Mr. Bryant said then there is no way to say x-numbers have come to us because of this. Mr. Pittman said it is a good way for advertising ourselves and keeping our name out there. Mr. Tiffany said we currently have a place at the table and this will enable us to keep it. Mrs. Daugherty said we need to decide what we want to do. Mr. Pittman said he was in favor of it because it was great for bringing people to the area and Sugar creek Township is one of the top communities for people to come to. Mrs. Daugherty said she agreed with Mr. Pittman. Mr. Bryant said he is okay with it if it's a worthwhile thing but we need to keep our eye on it to see that we get a return on our investment. He said we may not want to do it again next year. Mr. Bryant said we have to be mindful of what we are doing.

9. **Trustee/Staff Discussion**

Mr. Tiffany said he has been looking at different energy providers. He said he will have more information at the next meeting but for now it looks like we can save about \$5,500.00 with First Energy Solutions, all buildings included. Mr. Tiffany said we still have other suppliers to look at.

10. **Public Comments**

Mr. Jim Martin said he read Amelia Robinson's article about the Park Levy and thought she did a good job. Mr. Martin said he was very disappointed in the Park Board. He said if the Park Levy passes we will have 1.2 acres of parkland for every man, woman and child in the Township. Mr. Martin said it is a crime to take it off the tax duplicate. Mr. Martin asked about the buffer zone. Mr. Pittman said this was an arrangement by the Dille's and the Park District. Mr. Martin said we need to tell people the potential costs to them and to the Township. Mr. Martin said we won't need Limited Home Rule now. He said he didn't think we needed more regulation in view of the current situation. Mr. Martin said he agreed with Mr. Bryant regarding the Dayton Development Coalition. He said he does not think it is any benefit to us. Mr. Pittman said that is your opinion and unsubstantiated.

Donna Hellman asked about the Supreme Court ruling she read in the paper. Mr. Tiffany said it was a revised decision of two lower courts and was remanded back to the Greene County Court for review of consistency of opinion. Ms. Hellman asked if it will go back to Centerville to do what they want with it. Mr. Tiffany said that it was too early to address that. Ms. Hellman asked what is the worst case and best case scenario. Mr. Bryant said we have to see what the Greene County Court says first. Ms. Hellman said that with the Park issue, if Centerville can annex it, we could end up paying on a bond for a Park in Centerville and then they could have access to annex additional land. What does this decision mean? Mr. Tiffany said that question can't be answered at present but that he was very disappointed in the courts decision since there were such strong opinions from the lower courts and they didn't keep in line with those opinions. He said he currently couldn't make any conjectures.

Ms. Hellman said she thought there should be some sort of statement of position to help the voters in the upcoming election. She said we need to educate the residents. Ms. Hellman said you met with the Park District and nothing happened. She said we need a list of pros and cons to help the voters but it doesn't need to include the Boards opinion. Mr. Pittman said there have been ten acres set up as a buffer and Centerville cannot annex the land immediately, not to say they couldn't later. Ms. Hellman said, regardless of whether the Trustees are pro or con information needs to be put out on the issue. She said Bellbrook residents probably don't know how this impacts them. She said she thought the Road Levy was the most important issue. She said the park might be nice but not necessary.

Mr. Steve Kane, 5131 Oliva Dr., said he was concerned about shooting firearms in his neighborhood. He said he talked to the Greene County Prosecutor's Office to see if the police had the legal ability to call on the resident and do something. He said the Prosecutor told him there were no rules for regulating shooting in Townships. Mr. Kane said he didn't get any help from the prosecutor. He said the resident doesn't have a very big back stop and he leaves home when he's out shooting. Mr. Tiffany said he is currently working with C.L.O.U.T. regarding the use of firearms in Townships. He said they do not want to take away any rights, but to have standards for

certain situations. Mr. Tiffany said, at best, that will be a one or two year process and we have no authority in this area.

Mr. Jim Martin said even though the Supreme Court remanded the decision back to the lower court, he thinks the lower court will go along with it. Mrs. Hellman said the Board does not need to give an opinion but she believes they need to inform the Citizens.

Mrs. Daugherty moved to adjourn at 8:30 pm. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Theodore L. Hodson, Fiscal Officer