

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session, November 2, 2009, at 7:30 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Chairperson Mike Pittman called the meeting 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 Mike Pittman being present. Mrs. Daugherty was absent.

In addition to Barry Tiffany, Township Administrator, others present who signed in were Jim Martin, Jim Tharpe, Donna Hellman, Marvin Moeller, and Scott Bryant.

4. Reports

A. Administrator

Mr. Tiffany said the Dille Annexation Case is going back to the lower court to review the decision of the Second Court of Appeals. Mr. Tiffany said he is hopeful the case will be settled before long.

B. Fire

A report prepared by Chief Pavlak is appended. Chief Pavlak said he had received the first quarterly reimbursement for the Safer Grant Employees.

C. Police

A report prepared by Chief Flick, for the police department, is appended.

D. Roads and Services

A report prepared by Tracey Messer, Director of Roads and Services, is appended. Mr. Messer said "Halloween in the Park" was a great success.

E. Zoning

A report prepared by Cara KillKelley, Zoning Compliance Officer, is appended. Cara said the Safe Routes to Schools Grant application has been submitted.

F. Trustees

Mr. King read a letter from Susan Dille which was distributed throughout the Township. A copy is appended.

Mr. Pittman said he attended the Greene County Regional Planning meeting and the guest speaker was Mr. Martin Kim from the Miami Valley Regional Planning Commission. Mr. Pittman said his speech was very interesting and that he would address a Sugarcreek Township Board meeting this spring.

5. New Business

Fiscal Office

A. Payment of Bills

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

the vote being as follows:

Mr. King - Yes
Mr. Pittman - Yes

B. Transfer of Appropriations

Resolution # 2009.11.02.01

<u>Debit Fund</u>	<u>Number</u>	<u>Credit Fund</u>	<u>Number</u>	<u>Amount</u>
2081-Police	2081-910-910	Bond Retirement	3102-830-830	\$15,624.00
2081-Police	2081-910-910	Bond Retirement	3102-810-810	\$29,400.00
2112-Fire	2112-910-910	Bond Retirement	3102-830-830	\$21,576.00
2112-Fire	2112-910-910	Bond Retirement	3102-820-810	<u>\$40,600.00</u>
				\$107,200.00

Mr. Hodson said the transfer was for the annual payment of the bond issued for the Public Safety Building. Mr. King moved to accept the transfer of appropriations. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. King - Yes
Mr. Pittman - Yes

Fire Department

C. Appointment of Part-time SAFER Firefighter/.EMT – Michael N. Todd

Resolution # 2009.11.02.02

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

WHEREAS, Chief Randall J. Pavlak is requesting, under the terms of the FY2008 Safer Grant, the appointment of Michael N. Todd as Part-time Firefighter/EMT in support of the goals and objectives of the Sugarcreek Township Fire Department; and,

WHEREAS, the funds for the employee status changes are allocated out of the FY2008 Safer Grant,

NOW THEREFORE, BE IT RESOLVED, that Michael N. Todd shall be appointed to the position of Part-time Firefighter/EMT at the pay rate of \$8.85 per hour,

FURTHER BE IT RESOLVED, that this appointment shall have an effective date of November 2, 2009, with a one (1) year probationary period ending on November 3, 2010.

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

Mr. King - Yes
Mr. Pittman - Yes

D. Reclassification of Fire Department Personnel – Ryan E. Arnett

Resolution # 2009.11.02.06

WHEREAS, on May 15, 2009, the Sugarcreek Township Board of Trustees approved Resolution

2009.06.15.07, accepting the FY2008 Safer Grant; and,

WHEREAS, Chief Randall J. Pavlak is requesting, under the terms of the FY2008 Safer Grant, the reclassification of Ryan E. Arnett from Volunteer Firefighter to Part-time Firefighter in support of the goals and objectives of the Sugarcreek Township Fire Department; and,

WHEREAS, the funds for this employee status change is allocated out of the FY2008 Safer Grant,

NOW THEREFORE, BE IT RESOLVED, that Ryan E. Arnett shall be reclassified to the position of Part-time Firefighter, under the terms of the FY2008 Safer Grant,

FURTHER BE IT RESOLVED that this reclassification will have an effective date of November 2, 2009, with a one (1) year probationary period ending on November 3, 2010.

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

Mr. King - Yes
Mr. Pittman – Yes

Roads and Services Department

E. Authorizing the Director of Roads and Services to Hire Temporary Part-time Employees

Resolution # 2009.11.02.03

WHEREAS, the need exists to establish and maintain a viable temporary part-time work force within the Sugarcreek Township Roads and Services Department; and

WHEREAS, the Board of Sugarcreek Township Trustees, has authorized the hiring of Temporary Part-time Employees to assist in the removal of snow through the fall and winter seasons, as well as other departmental functions,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees does hereby authorize the Director of Roads and Services, Tracey D. Messer, to hire up to thirteen (13) Temporary Part-time Employees to be utilized for the next 180-day period at a pay rate of \$10.25 per hour.

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

Mr. King - Yes
Mr. Pittman – Yes

F. Acceptance of Dedicated Roadway for Maintenance – Pine View Drive

Resolution # 2009.10.19.02

WHEREAS, this Board of Township Trustees has received the name of a roadway from the Greene County Engineer which will become the responsibility of Sugarcreek Township per Ohio Revised Code (O.R.C.) 5553.31; and,

WHEREAS, the maintenance and responsibility for this roadway will belong to the Sugarcreek Township Trustees; and,

WHEREAS, the following roadway has met the specifications and inspection procedures of both the Greene County Engineer and the Sugarcreek Township Roads and Services Department:

Pine View Estates, Section 12 subdivision - Pine View Drive

NOW THEREFORE, BE IT RESOLVED, that this subdivision road is accepted as the responsibility of Sugarcreek Township and the speed limit in this residential area shall be set at 25 miles per hour.

This Resolution was tabled at the October 19, 2009 meeting for further review. Mr. King moved to remove the Resolution from the table. Mr. Pittman seconded. Mr. King moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. King - Yes
Mr. Pittman – Yes

Administration Department

G. Open Space Advisory Committee Dissolution

Resolution # 2009.11.02.04

WHEREAS, the Board of Sugarcreek Township Trustees approved Resolution 2002.06.03.15 authorizing a five-member committee to provide, keep and manage key scenic assets, and preserve open space goals as outlined in the Comprehensive Land Use Plan; and,

WHEREAS, this Committee known as the Sugarcreek Township Open Space Advisory Committee has been active fulfilling their charter assignments; and,

WHEREAS, this Committee was recognized during the 2008 Lions' Club Festival for their outstanding contributions to the community; and,

WHEREAS, the Open Space Advisory Committee has expressed a desire to transition to a non-profit organization, independent of Sugarcreek Township, and become part of the Greene Giving Organization,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees does hereby dissolve the Sugarcreek Township Open Space Advisory Committee effective November 2, 2009, so they may continue to support the Sugarcreek and Bellbrook communities in a more effective way,

FURTHER BE IT RESOLVED that the Board of Trustees wishes to publicly thank all members, past and present, of the Open Space Advisory Committee and wishes them outstanding success.

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

Mr. King - Yes
Mr. Pittman – Yes

Mr. King said the transition to a non-profit organization will allow the City of Bellbrook to be more involved and provide new opportunities to seek funding.

H. Rescind Resolution 2009.10.05.06 – Revised Table of Organization – Fire Department

Resolution # 2009.10.19.06

WHEREAS, on October 5, 2009, this Board of Sugarcreek Township Trustees adopted Resolution No. 2009.10.05.06 (Revised Table of Organization – Fire Department); and,

WHEREAS, it has been brought to this Board of Trustees that this Revised Table of Organization

is in need of further modifications,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees hereby rescinds the previously adopted Revised Table of Organization – Fire Department (2009.10.05.06), copy hereto attached,

FURTHER BE IT RESOLVED, that this Board of Trustees places the previously approved Revised Table of Organization (2008.06.02.01) into effect until further notice, copy hereto attached.

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

Mr. King - Yes
Mr. Pittman – Yes

Trustee/Staff Discussion

Mr. King, referring to the first Public session regarding Limited Home Rule, said there is reason to believe there has been violations of the Code of Ethics and would like the Administrator to look into the matter.

Public Comments

Mr. Jim Martin said, regarding the letter Mr. King read from Susan Dille, he thinks they just want to sell the land to the Park District since they don't have the money to buy it. Mr. Martin said we already have one thousand acres in the Township dedicated to parks

What we need is Commercial Development. We have only ten percent and we need twenty five to thirty percent minimum. Mr. Martin said he told Mrs. Daugherty he would have questions for her tonight and she isn't here. If she can't handle her own finances how does she expect to handle the Township's? Mr. Martin said she has missed more meetings than any of the other Trustees. Mr. King said he would like Mr. Martin to save his comments regarding Mrs. Daugherty until she was present. Mr. Martin said he would. Mr. Martin said the Zoning rewrite had ten pages of conflicting data according to the Attorney's review. Mr. King said he is not part of the Ad Hoc Committee but the Trustees will have the final say.

Mr. Marvin Moeller said if violations of the Code of Ethics are to be reviewed, he hoped they would look at the last six years also.

Mr. Pittman moved to adjourn to Executive Session to discuss Police Personnel. Mr. King seconded. Roll was called with the vote being as follows:

Mr. King - Yes
Mr. Pittman - Yes

The meeting adjourned to Executive Session at 8:34 pm.

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

I Appointment of Full-time Dispatcher – Molly C. Smith

Resolution # 2009.11.02.07

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

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

WHEREAS, Molly C. Smith has held the position of part-time Dispatcher for Sugarcreek Township since December 2, 2008; and,

WHEREAS, Dispatcher Smith meets all the requirements and agrees to accept all responsibilities for the position; and,

WHEREAS, Police Chief Gilbert A. Flick recommends this appointment and has indicated that adequate funds are available in the 2009 budget for this position,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees hereby appoints Molly C. Smith as full-time Dispatcher for the Communications Department effective November 30, 2009, at a pay rate of \$14.50 per hour, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending December 1, 2010.

J. Adjustment of Retroactive Pay Date for Zoning Compliance Officer -Cara KillKelley

Resolution # 2009.11.02.08

WHEREAS, the Sugarcreek Township Board of Trustees previously authorized a job title change and pay increase for Township Planner/Zoning Official – Cara A. KillKelley; and,

WHEREAS, Resolution 2009.03.16.08 approved the increase in annual salary with an effective date of March 23, 2009, and;

WHEREAS, in keeping with Ms. KillKelley's annual review, Resolution 2009.03.16.08 should have had a retroactive effective date of January 2, 2009,

NOW THEREFORE, BE IT RESOLVED, that the Sugarcreek Township Board of Trustees does hereby amend Resolution 2009.03.16.08 to reflect a retroactive effective date of January 2, 2009.

J. Appointment of Part-time Dispatchers Susan K. Doolos and Tiffany E. Harnly

Resolution # 2009.11.02.09

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

WHEREAS, two vacancies exist within the classification of Part-time Dispatcher; and,

WHEREAS, these vacancies were advertised and applications for the positions were evaluated by Lieutenant James K. Deaton and Chief Gilbert A. Flick; and,

WHEREAS, the Chief of Police, Police Lieutenant and Township Administrator have identified Susan K. Doolos and Tiffany E. Harnly as ideal candidates for the position of Part-time Dispatcher,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees appoints Susan K. Doolos and Tiffany E. Harnly as Part-time Dispatchers at the entry level rate of \$11.29 per hour, upon completion of satisfactory pre-employment testing and background/reference checks.

FURTHER BE IT FURTHER RESOLVED, this appointment will be subject to a one (1) year probationary period commencing with the first date of employment.

Mr. King moved to accept Resolutions 2009.11.02.07, 08 and 09 as presented. Mr. Pittman seconded. Roll

was called with the vote being as follows:

Mr. King - Yes

Mr. Pittman - Yes

Theodore L. Hodson, Fiscal Officer