**Regular Beavercreek Trustee's Meeting**

**Monday, October 15, 2012**

Mr. Glaser called the Regular Trustee Meeting to order at 2:01 P.M. Those present were Trustees: Robert Glaser, Carol Graff and Dan Paxson. Fiscal Officer, Christy Ahrens and Legal Advisor Robert Surdyk were also present. Staff present: Township Administrator Alex Zaharieff, Assistant to the Fiscal Officer James Barone, Road Superintendent Tim Parks, Fire Chief David VandenBos, IT Manager Jeff Terry, and HR Manager Trish Gustafson.

**2012-348** Ms. Graff made a motion to approve the Agenda for October 15, 2012 with the following amendments: add Amendment to Consent Decree under Legal Advisor and add to the 121.22(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action under Executive Session. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-349** Mr. Paxson made a motion to approve the October 17, 2012 Payroll in the amount of $263,256.95. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**2012-350** Ms. Graff made a motion to approve the Bills in the amount of $174,628.56. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-351** Mr. Paxson made a motion to approve the Special Meeting Minutes of September 25, 2012. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**2012-352** Ms. Graff made a motion to approve the Regular Meeting Minutes of October 1, 2012. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-353** Mr. Paxson made a motion to approve the Special Meeting Minutes of October 2, 2012. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**RESIDENTS/GUESTS DESIRING TO SPEAK**: None.

**NEW BUSINESS:**

Trick or Treat:

A public service announcement - Beavercreek Township will have Halloween Trick or Treat on Tuesday, October 30, 2012 from 6-8 P.M. to match when the City of Beavercreek is having their Trick or Treat.

**ADMINISTRATOR:**

Bow Hunting:

Township Administrator Alex Zaharieff gave each elected official a copy of the applications received for consideration for the new Township Bow Hunting policy. Several names were eliminated due to non-residency in the Township. General discussion occurred regarding: Township employees and their eligibility and the number of deer allowed to be shot. According to the policy each Trustee may name one individual from the list.

Mr. Glaser recommended Chris Beisner
Ms. Graff recommended James Combs
Mr. Paxson recommended Edward Lowry

**2012-354** Mr. Paxson made a motion to adopt the following: Chris Beisner, James Combs, and Edward Lowry per the Township Bow Hunting Policy for

hunting on the Pershing property. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**ROAD:**

2012 Road Report:

**2012-355** Ms. Graff made a motion to accept the 2012 Annual Report of Township Roads Report, with a total of 40.410 miles. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

Station 63 Bid Proposals:

The bid results for the Station 63 roof project were discussed, and as a result of the prevailing wage rates changing during the process, Legal Advisor Bob Surdyk is recommending we reject all bids and re-advertise as a non prevailing wage project.

**2012-356** Ms. Graff made a motion to reject all bids for the Station 63 roof project opened October 10, 2012 and to re-advertise as a non prevailing wage project with bids due and opened on November 5, 2012 at 10:00 A.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

Purchase Request:

**2012-357** Mr. Paxson made a motion to approve the purchase request to North American Salt Company for 200 tons of salt at $63.65 per ton for a total amount of $12, 730.00. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**FIRE:**

Medic Purchase:

Fire Chief VandenBos spoke to the Trustees stating that after discussing this purchase with Road Superintendent Tim Parks, he is recommending that we keep our original plan and stay with the state schedule to purchase this medic.

**2012-358** Ms. Graff made a motion to approve the purchase request to Burgess Hearse and Ambulance Sales for a new medic in the amount of $214,376.00, and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded. Discussion occurred regarding: cost of the communication equipment that will need to be placed on the medic and the budgeting of this and other communication equipment; this is the amount for the medic only; radios will be ordered when the Board decides what direction they want to go; line item finances; tracking communications equipment and inventory; project management; purchases broken down by budget; and the need for a policy of how to budget and account for items in a project and program.
Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-359** Mr. Paxson made a motion to approve the purchase request to Stryker EMS Equipment for one Stryker Power-Pro Cot for the new medic in the amount of $14,590.80, and authorize the Township Administrator to sign for the Board. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

Overtime Request:

Chief VandenBos stated that with several upcoming events and to get to the end of the year, he is asking the Board for approval of $70,000.00 additional dollars to spend on Overtime. The Fire Department anticipates reaching the Board's eight percent allowed cap this pay period.

**2012-360** Ms. Graff made a motion to approve the addition of $70,000.00 in overtime expenditures for the Fire Department, for a 2012 total of $377,932.00. Mr. Paxson seconded. Discussion occurred regarding: hours; part-time employees overtime and comp time; the difference between last year and this year's numbers for overtime in Administration and all categories; and the Trustees

would like to see a report for what part-time overtime hours are being charged to Administration overtime. Chief VandenBos stated that this is an estimation of hourly distribution based on actual hours already worked and logged in the UAN. Mr. Glaser stated that the Department needs the money to make it through the end of the year; but that overtime costs are still down now in comparison to this time last year. Mr. Paxson stated that Fire Program costs are up across the board and that management of the programs needs to be under scrutiny. General discussion occurred. Mr. Paxson and Chief VandenBos will meet to discuss the pros and cons of this and the Trustees will continue this discussion at the next Regular Meeting.
Roll Call: Ms. Graff, yes; Mr. Paxson, abstain; and Mr. Glaser, yes.

Other Items of Interest:
Dale Dietz, a twenty-five year volunteer firefighter passed away.

**LEGAL ADVISOR:**
Legal Advisor Bob Surdyk recommended that the Trustees hold a Special Meeting to receive public input regarding a proposed amendment to the 2006 Consent Decree.
The Board of Trustees of Beavercreek Township, Ohio hereby gives notice that on November 13, 2012, at 7:00 P.M. at the Fire Administration Building, 851 Orchard Lane, Beavercreek, Ohio, it intends to meet, consider, and take action on proposed amendments to Consent Decrees which resulted in the settlement of the lawsuits filed against Beavercreek Township on behalf of Oberer Land Developers, LTD and BFD New Germany Trebein, LTD. in the United States District Court for the Southern District of Ohio, Western Division (Oberer Land Developers, LTD. v Beavercreek Township Ohio et. al., Case No. 3:05 CV 0333, and BFD New Germany Trebein, LTD v Beavercreek Township, Ohio et. al., Case No. 3:05 CV 0385). The proposed amendments to the Consent Decree filed in the BFD New Germany Trebein, LTD case will change the requirement for the Spring Ridge development from 80 attached single-family homes on 18.8 acres to 55 detached single-family homes on 18.8 acres. This amendment would decrease the density for the Spring Ridge Development. The proposed amendments to the Consent Decree filed in the Oberer Land Developers, LTD case will: 1) remove the requirement that the homeowners' association be solely responsible for exterior lawn and landscaping maintenance for the empty nester/patio product homes; and 2) change the construction timeline for the recreation center and associated amenities for the Nathaniel's Grove parcel to require construction to begin when 33% of the lots are constructed and be completed within 12 months. These changes will not affect the density of the Nathaniel's Grove parcel. At that hearing, members of the public will be permitted to express their objections to the proposed amendment. Copies of the proposed amendments to the Consent Decrees are available to the public at the township fiscal office during normal business hours.

**FISCAL OFFICER:**
Township Investments:

Fiscal Officer Christy Ahrens addressed the Board and stated that she wanted to make sure the Trustees received the e-mail that she asked her assistant, James Barone, to prepare regarding where Township money is deposited. Ms. Ahrens felt the report was well done and wanted to make sure the Trustees had all the information and asked if there were any questions.

Ms. Graff stated that it was exactly the kind of report she was looking for; it was perfect and gave her exactly what she needed to know.

Ms. Graff also stated that she read the email carefully and she understood the recommendation from Mr. Barone that opening a commercial money market account with PNC bank would give the Township the flexibility to transfer funds back and forth between the checking account and the money market account so we would always have the necessary funds in the checking account to avoid paying fees.

Ms. Ahrens stated she would have Mr. Barone facilitate setting up the commercial money market account with PNC and bring the signature cards to the next meeting.

Mr. Glaser stated he would like to discuss the remaining 6 million dollars the Township has in other money market accounts, as one of the banks interest rate is considerably lower than the others. Ms. Ahrens cautioned Mr. Glaser that the reason we split the funds between three of the four depositories we have on file, is to diversify the funds and not to keep everything in one bank. Ms. Ahrens will investigate other options.

**2012-361** Ms. Graff made a motion to go into Executive Session per ORC 121.22(G)(1) to consider the dismissal and compensation of a public employee and 121.22(G)(3) cconferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action at 3:12 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-362** Mr. Paxson made a motion to come out of Executive Session at 4:28 P.M. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**2012-363** Ms. Graff made a motion to Adjourn at 4:29 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

Trustee: _____

Fiscal Officer: _____