**Regular Beavercreek Trustee's Meeting**

**Monday, February 6, 2012**

Mr. Glaser called the Regular Trustee Meeting to order at 2:00 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, Zoning Administrator/Inspector Victoria Long, and Human Resource Manager Trish Gustafson.

**2012-040** Mr. Paxson made a motion to approve the Agenda for February 6, 2012 with the following amendments: move Overtime from under Old Business to under Fire and add Jim Barone nomination for Beavercreek Chamber Award under New Business. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

**2012-041** Ms. Graff made a motion to approve the February 8, 2012 Payroll in the amount of $255,079.45. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

**2012-042** Mr. Paxson made a motion to approve the Bills in the amount of $65,187.75. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

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

**OLD BUSINESS:**

Contract with Legal Advisors:

Township Administrator Alex Zaharieff stated that Mr. Surdyk is still working to have all three contracts finalized before the Board approves them. Mr. Surdyk has not had time to work on this, but will.

MVRPC Resolution – Going Places:

Ms. Graff stated that this resolution had been put off at the last meeting because of a Regional Planning meeting that the Trustees wanted to attend. Ms. Graff stated that the next MVRPC meeting is not until March. Mr. Glaser asked Mr. Zaharieff if he had spoken with the City of Beavercreek regarding this issue. Mr. Zaharieff replied, no. Mr. Glaser reiterated that he would like the City and the Township to pass the same resolution to show a united Beavercreek front, and that was why he asked for this resolution to be placed on hold. He would still like to have this issue be on hold until the City has approved a resolution. He asked Mr. Zaharieff to get in contact with the City Manager so that we can get a copy of what they approve. A copy of the approved Greene County Regional Planning resolution was also requested.

Land Use Plan:

Zoning Commissioner Chuck Brackenhoff spoke to the Trustees regarding the Land Use Plan and the problems associated with making changes to the document and having them be saved. He stated that he has been working with Zoning Clerk Laurie Brown going through the document page by page, word by word. He also stated that the Zoning Commission met for two and a half hours last week and that all the suggestions made by the Commission have been incorporated into the Comprehensive Plan he has for the Trustees today. General discussion occurred regarding having the document emailed to the Elected Officials in PDF for their comments and review.

A Special Trustee Meeting is scheduled for Thursday, March 1, 2012 at 7:00 P.M. at the Fire Administration Building for the purpose of reviewing and discussing the Beavercreek Township Land Use Plan. Mr. Brackenhoff read two letters of

appreciation: one for Ms. Long and one for Ms. Brown, into the record. Those letters are attached to these Minutes.

TIF:
Ms. Long stated that she is bringing back before the Trustees the TIF that the Township worked on a year ago. The process needs to begin again in order to TIF the property in question and the first step is to have the Fiscal Officer sign letters notifying the local school districts: Beavercreek, Xenia, and the Greene County Career Center, of the Township's plan to establish a Tax Increment Financing Exemption. Questions were asked, answered and discussed regarding: emergency levies and funding for the school district; why this property is being pursued (proximity to the airport); and what benefit does the taxpayer get out of it. Ms. Graff stated that the Trustees asked staff to move forward with this last year. Discussion occurred regarding changing the percentage rate from seventy-five percent to something else.
**2012-043** Ms. Graff made a motion to approve **Resolution 2012-043**, Declaring Improvements to Parcels of Real Property Located in Beavercreek Township, Ohio to be a Public Purpose under Section 5709.73 (B) of the Ohio Revised Code, Exempting Such Improvements to be Necessary for the Further Development of those Parcels and Establishing a Tax Increment Equivalent Fund. Mr. Glaser seconded for further discussion. Discussion occurred regarding: timing and if the Trustees act on this at a later date; the verification of deeds, the County Auditor's review, and the Prosecutor's review; and the ability to rescind the motion in the future.
**2012-044** Ms. Graff made a motion to table Resolution 2012-043, until the March 5, 2012 Trustee Meeting. Mr. Glaser seconded. Roll Call: Ms. Graff, yes; Mr. Glaser, yes; and Mr. Paxson, yes.
**2012-045** Ms. Graff made a motion to send letters to serve as notice that the Board of Trustees of Beavercreek Township, Greene County, Ohio intends to consider the adoption of a resolution establishing a Tax Increment Financing Exemption at its meeting March 5, 2012 at 2:00 P.M., at the Fire Administration Building, 851 Orchard Lane, Beavercreek, Ohio 45434. Mr. Glaser seconded. Mr. Glaser asked for staff to please follow up with the attorney, in writing, the provisions under which the Trustees are allowed to rescind the Resolution, if desired in the future. Roll Call: Ms. Graff, yes; Mr. Glaser, yes; and Mr. Paxson, yes.
Mr. Glaser asked Ms. Long about the costs associated with advertising for the Zoning Department. Ms. Long stated that she would gather information together regarding that information and send it to the elected officials.

**NEW BUSINESS:**
Video Taping:
Ms. Graff stated that she would like the Township to look into the cost of having Township Trustee Meetings videotaped, whether through the City or with our own cameras. Mr. Glaser stated that he has made a motion for videotaping three times in the past and that his motion had died for lack of a second from either Ms. Graff or Mr. Stone.
**2012-046** Ms. Graff made a motion to investigate the cost to provide videotaping of Beavercreek Township Regular Trustee Meetings.
The motion dies for lack of a second.

Dress Code:
Ms. Graff stated that Mr. Paxson brought up at a Special Trustee Meeting the issue of employees of the Township needing to dress professionally, and that she agrees; however, she also feels that as Trustees we set examples and therefore need to dress professionally as well.

**2012-047** Ms. Graff made a motion that professional dress for elected officials should be the operations code at all Beavercreek Township scheduled Meetings. The motion dies for lack of a second.

Jim Barone nomination for Beavercreek Chamber Award:
Mr. Paxson stated that he felt that Mr. Barone should be the nominee for the Township Beavercreek Chamber Award. Ms. Graff stated that the Trustees do not consider Department Heads for this award and that this discussion does not normally take place in a meeting. Mr. Glaser explained that the Trustees nominate an employee of the Township to receive an award from the Beavercreek Chamber of Commerce. He suggested that each Trustee write an email and submit a name for nomination and why they are supporting that nominee to the Township Administrator. If there is a consistency then the Township Administrator will let the Trustees know.

**ZONING:**
Graduate Student Proposal:
Ms. Long stated that a graduate student is looking to do a study qualifying the pileated woodpecker's cavities in a range of stand sizes and degrees of isolation in order to determine this woodpecker's versatility for distinguishing the threshold of a forest size suitable for maintaining a breeding pair. The student would be flagging areas in Phillips Park and Koogler Prairie.
**2012-048** Ms. Graff made a motion to grant permission to Anna Lynn Holtvoight to conduct non-invasive research in Phillips Park and Koogler Reserve for use of her study, through December 2012, provided that all markers are removed when the study is complete. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

BZA Services Purchase:
Ms. Long stated that the BZA is asking for a purchase request for Cosler Engineering for a Flood Plain Filling Survey. The request is in regards to a case the BZA has already approved but they want to prevent possible legal action. General discussion occurred regarding: why the case was approved if there was room for legal action, why the Township is being asked to pay for the survey, and flooding issues concerning the property in discussion. Legal Advisor Robert Surdyk questioned the need for an engineering study now that the work has been completed. Mr. Glaser stated that he would like to see the property, all Trustees agreed. Each will schedule time separately with Ms. Long to visit the site. Ms. Long will prepare information regarding this case for the Trustees.

Kil-Kare BZA Case:
Ms. Long spoke to the Trustees regarding the Xenia Township Zoning Hearing, taking place on February 22, 2012 at 7:30 P.M. at the Xenia Township Trustees Office, regarding Kil-Kare's request for Conditional Uses and Expansion of Non-conforming Uses on the property located in Xenia Township. Ms. Long will be attending the meeting; however, it does not involve Beavercreek Township at this point. General discussion occurred. The Trustees would like Ms. Long to report back to them what happened at this meeting and provide a map of the Beavercreek Township property in that area.

**ADMINISTRATOR:** No Report.
**ROAD:** No Report.

**FIRE:**
Stuffed Animal Donation:
**2012-049** Mr. Paxson made a motion to approve WHEREAS, Kohl's Department Store of Beavercreek, Ohio wishes to make a donation of 190 stuffed animals

valued at $950.00 to the Beavercreek Township Fire Department, and WHEREAS, according to section 505.10 of the Ohio Revised code the Trustees of Beavercreek Township may accept a donation of any real or personal property for any township use. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes. Chief VandenBos will create a letter of appreciation for Kohl's and possibly a small plaque in thanks.

Beavercreek Youth Council Dance Request:

Last year the Beavercreek Youth Council held a dance at Station 61 and are requesting the use of Station 61 again for the dance, scheduled April 28, 2012. General discussion occurred regarding: proceeds go to 9-1-1 Memorial Fund; the stolen property at a Township Open House and the need to make sure that everything is secure; chaperones. Ms. Ahrens asked about insurance and who is responsible if there is an accident. Is there a single event policy in place? Ms. Felicia Hall will investigate and let the Board know. The Trustees stated they are open to having the dance at Station 61 provided the question regarding liability is answered and all equipment is locked away.

Fire Prevention Bureau Vehicle Signage:

Chief VandenBos gave a progress report on the signage applied to the Fire Prevention vehicle, which was provided through a local donation. The donation was made by the Beavercreek Popcorn Festival and the work has been completed on the vehicle. Chief VandenBos would like to thank the Popcorn Festival and Signs Now for their involvement. The Trustees would like the Chief to prepare a letter of thanks to the Popcorn Festival.

Staff Car Body Work Purchase Request:

General discussion occurred regarding the paint peeling off, in relatively the same place, on the Crown Victoria Fire Department cars and the cars life expectancy. **2012-050** Ms. Graff made a motion to approve purchase request to Miller's Body Shop for body work on the Crown Victoria Fire Department Staff cars in the amount not to exceed $4500.00. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

EMS Billing Report:

Chief VandenBos acknowledged that the Fire Department has been having problems with the EMS billing company the Township currently uses and alluded to the EMS Report that was emailed to the Elected Officials Saturday, February 4, 2012. The report states that "EMS billing is an important non-tax revenue source for the fire department, accounting for eight percent of total revenue in 2011. ADP/Intermedix's performance has not met expectations and they have not been responsive to requests for corrective action. The fire department is ready to advertise a Request for Quote for a new vendor, upon Legal and Board approval." Chief VandenBos stated he was before the Board to answer any questions regarding this issue and to let them know that he will be bringing a RFQ before the Board in the near future to get things started.

General discussion occurred regarding: the need to get the RFQ out sooner rather than later; the fact that it seems like these companies start out performing well then drop off; are the Township's expectations clearly listed in the RFQ and if not then they need to be; reports should be generated every thirty, sixty, and ninety days along with monthly reports; kickback reports were discussed and how currently it is self-serve but that Chief VandenBos will add it to the RFQ and designate someone on staff to manage the kickback reports; and a need to look at how we code EMS for billing. Chief VandenBos will bring the RFQ back at the next Trustee Meeting. Discussion occurred on Figure 2 in the EMS Report and Mr. Paxson questioned Chief VandenBos if he had spoken to any of the jurisdictions that had an increase in EMS Billing Comparables in order to learn from them. Chief VandenBos stated no, but that he would look into it. Washington Township had an increase of 344% in Billing Comparables and Mr. Paxson thinks it would be well worth it to find out what they changed and how we could apply it to Beavercreek Township.

Overtime:
Chief VandenBos went over the Special Report on Overtime requested by the Board of Trustees/Amended per Mr. Paxson's request, revised date February 6, 2012. Chief VandenBos stated, "In 2011, Fire Department overtime: costs increased by eleven percent (11%) from 2010; Overtime costs accounted for 7.7% of total personnel costs, under the eight percent (8%) target and ten percent (10%) cap; it included covering over 2200 additional hours of leave due to work-related injuries; operational overtime, staffing front-line emergency apparatus accounted for seventy percent (70%) of all overtime; and non-operational overtime (training and programs) was cut by forty-five percent (45%) since 2010."
General discussion occurred regarding: injury leave; authorizing more overtime to keep staffing levels up; Figure 2 and the difference between that Figure and the Budget Report the Fire Department submitted, Comp Time is included in the Budget Report; Figure 3 and how an officer gets 505 hours of Overtime in Operations, putting a new ladder in service etc. was an answer; why some firefighters have more overtime hours by a large margin than others, the answer, we don't make people take overtime, some accept more hours, however, the same number of overtime hours are offered to every officer; possible safety factors for some firefighters considering the considerable amount of overtime they work; the Prevention office overtime was discussed and how this office could have some much overtime with only three people, the answer working on grants and getting paid time and a half.
Mr. Glaser reiterated that Overtime is obviously still a problem in the Fire Department and that it needs to get under control.

**LEGAL ADVISOR:**
General discussion occurred regarding Station 64, insurance, and the 320 Day Builder Risk Policy.
**FISCAL OFFICER:**
Fiscal Officer Christy Ahrens produced the information Ms. Graff requested via email of the Township Administrator.
**Ms. Ahrens:** Ms. Graff, you asked for information regarding a depository agreement and how the funds are in accounts and also the time sheets for all the department heads. So, I have over 500 pages worth of items for you, so those are here for you.
I would ask the TA; did you do the second part, as far as the projecting?
**Mr. Zaharieff:** No.
**Ms. Ahrens:** OK. I do have something to give you. It's not a projection. I think in the past I've said the General fund is, because it's not supported by levies, it is impossible to project. But you've asked me this several times over the years, and I just, I want to give you an answer that the county auditor gave me.
So, number one, his response is the General fund has no monies to project, and given the fact that property values are only assessed every three years, Greene County is in year one of those assessments at this time. The revenue would basically stay the same as this year, because every three years they assess. So, he wouldn't project any increase. And then, the County Auditor's opinion would be to flat line revenue projections at this time, as they are impossible to predict. He does acknowledge that there may be some new construction, but that it is not able to be predicted either.
So, I don't want you just to think that I'm telling you that I can't predict it. He's also telling you and me that it's impossible to predict a fund that's not based on a levy. We just have no idea.
**Ms. Graff:** It's based on half mil inside mil, so it's actually a levy that is not voted on.
**Ms. Ahrens:** Right.
**Ms. Graff:** It's based on the value of the property in the township, as I understand. And we could see, as the years go on, whether that is stable every

year when it comes in, or is going up a little bit. That's really all I was suggesting. Not that you could predict new building that was going to take place, because we can't do that. But we can see if the money's coming in and increase over the years because construction has taken place or has not taken place. There is a half mil inside mil. There is a levy, it just isn't voted on.
**Ms. Ahrens:** Is there a different report that you want to see provided to you every month, because I know you look at the financials, so if there is a different report that you want, that somehow might help you tracking, you just need to let me know.
**Ms. Graff:** At this point, let me see what you have and I will note if there's anything I need.
**Mr. Glaser:** Can somebody tell me what the check for Windstream is for?
**Mr. Zaharieff:** Telephones.
**Mr. Glaser:** OK.
Discussion ensues about a check signing machine. The trustees sign checks before each meeting. These checks pay the township's bills. The check signer machine is a legal method for signing checks so that the trustees would not have to sign forty or fifty checks by hand before each meeting.
There was a question as to what happens when any trustee is absent from a meeting. Should all three names be signed to the checks even when all three have not been present to approve them? Ms. Ahrens made reference to an e-mail in which she answered this question. In those cases, the check writer machine would not sign those checks until the trustees were present. Even so, it is rare that any trustee is absent from a meeting.
Ms. Ahrens gave a further reason for using the check signer. During the time before meetings, when the trustees are signing checks, they discuss township business. Using the machine would be a way to ensure there would never be a violation of the Sunshine Law.
Furthermore, the check signer does not take away any control from the trustees. It is still possible to void a check and the checks will still be available for the trustees to review. The benefit is that it eliminates their having to arrive early before meetings in order to sign checks.
The auditor's office will be consulted to see if there would be any problem if there were only two trustees present when using the check signer, and whether the check signer could remove a trustee's name if he or she were not present.
The question was asked, what would the timing be for writing checks using the check signer? Ms. Ahrens stated she would normally have them printed Monday morning so the trustees could review them. They would be mailed out on Tuesday.
The trustees agreed on using the check signer. Ms. Ahrens would process a purchase order. Mr. Barone provided a form for the trustees to sign. It was stated that the depository would have to be notified and give their approval. Also, the trustees have the authority to purchase a surety bond at the expense of the township to cover any potential loss in the event that anyone should affix their signature without the appropriate authority, although that is not necessary at this time.

**2012-051** Ms. Graff made a motion to Adjourn at 4:16 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Glaser, yes.

Trustee: _____

Fiscal Officer: _____