Regular Beavercreek Trustee's Meeting

Monday, April 29, 2013

Ms. Graff called the Regular Trustee Meeting to order at 2:00 P.M. Those present were Trustees: Carol Graff, Dan Paxson and Candy Prystaloski. Fiscal Officer Christy Ahrens was absent. Legal Advisor Dawn Frick was also present. Staff present: Township Administrator Alex Zaharieff, Assistant to the Fiscal Officer James Barone, Road Superintendent Tim Parks, Deputy Fire Chief Scott Dorsten, IT Manager Jeff Terry, and HR Manager Trish Gustafson.

2013-116 Mrs. Prystaloski made a motion to approve the Agenda for April 29, 2013, with the following additions: under the Trustee section, Mrs. Prystaloski added minutes and Administrator joint operations and Mr. Paxson added annual reports, county wide dispatch and update on the employee handbook. Mr. Paxson seconded. Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; and Ms. Graff, yes.

2013-117 Mr. Paxson made a motion to approve the May 1, 2013 Payroll in the amount of $256,263.37. Mrs. Prystaloski seconded. Roll Call: Mr. Paxson, yes; Mrs. Prystaloski, yes; and Ms. Graff, yes.

2013-118 Mr. Paxson made a motion to approve the Bills in the amount of $64,593.14. Mrs. Prystaloski seconded. Roll Call: Mr. Paxson, yes; Mrs. Prystaloski, yes; and Ms. Graff, yes.

2013-119 Mr. Paxson made a motion to approve the minutes of the Special Meeting held on March 15, 2013. Mrs. Prystaloski seconded.

Ms. Graff: I have discussion, I have reviewed the minutes of the 15th and the 18th and actually the 1st very carefully. I do not believe that they accurately reflect what transpired at the meeting, and anyone that would be reading those minutes from the outside would truly not have an understanding of what took place in those minutes; and therefore, I in good conscious because of the discrepancies that I have found in those minutes, and I could not even figure out how to modify them because I didn't know if I was at the meeting that was recorded. Therefore, I would definitely not vote for these minutes. I do not believe they say truly what fully took place at the meetings.

Mrs. Prystaloski: Some of those were addressed and I think you got comments back on those that we added to those too.

Ms. Graff: I did not comment on either of those because I couldn't even modify those. The ones that were modified on the 15th not a problem, that one was good. The 1st was somewhat questionable, but it was accurate. It didn't reflect the conversations, but it was an accurate reporting of what was approved, although it did not reflect the flavor of the meeting, but I could go with those, but the 15th and the 18th no way.

Mrs. Prystaloski: I think this will be resolved when I make my motion later.

Ms. Graff: So should we hold those until you make that motion?

Mrs. Prystaloski: No, I would rather, these are from March and we are now in May. I don't think we should keep those out there. There were discrepancies and I think your discrepancies were noted, and we should proceed.

Ms. Graff: They weren't, they weren't that is my problem. I don't remember the 15th as much as the 18th specifically. Mr. Paxson made a statement on the 18th, he was talking about full time Zoning and he mentioned, I believe that there was a deficit in the General Fund last year.

Mr. Paxson: No I didn't say deficit.

Ms. Graff: Yes you did.

Mr. Paxson: No I didn't, I said it took in less than it paid out.

Ms. Graff: Well that is a deficit. In the General Fund, revenue versus expenditures for the year 2012, you didn't say the fund was in deficit, but you said there was more money spent than came in that year.

Mr. Paxson: Right

Ms. Graff: Then when you finished your statement; I asked, and my question was, what was the carry-forward in the General Fund for the year? Ms. Ahrens said 1.9 million dollars. If you look at the minutes, my question is not there and she comes up with a statement with specific amounts which is not what she reported at the meeting. That is not an accurate reflection of what takes place at a meeting when it's not reported correctly.

Mr. Paxson: Well it is accurate, it's accurate. It may not be accurate to your liking, but the minutes are not always accurate to everyone's liking. There are many things that do not get put into the minutes that I say verbatim, and I am okay with that. The vote is what it is and if the vote is accurate, then that is what it is. So the minutes to this point have not been verbatim and there has always been a discussion about verbatim or not verbatim. It seems like when there is an issue that is important to you, you want the minutes done verbatim.

Ms. Graff: No

Mr. Paxson: If they are not for somebody else, then you want a general discussion. I think the minutes should just move on as they are, so let's take a vote on it.
Roll Call: Mr. Paxson, yes; Mrs. Prystaloski, yes; Ms. Graff, no.

2013-120 Mr. Paxson made a motion to approve the minutes of the regular meeting held March 18, 2013. Mrs. Prystaloski seconded.

Ms. Graff: I would like to make an amendment to that motion, and I will turn the gavel over. I move that the section to which I have just referred following Mr. Paxson's statement about the zoning and the fact that there was more expenditures in the General Fund for 2012 than revenue and reflect the fact that my question should follow that before Ms. Ahrens response. Mrs. Prystaloski seconded that amendment.

Mrs. Prystaloski: I want to know exactly what you want said Carol.

Ms. Graff: I want it at least reflected in that section of the minutes, that I had asked the question and then have an accurate response for what was actually responded. My question was, what was the carry-forward in the General Fund for 2012? The response after Ms. Ahrens looked it up was 1.9 million dollars, not 1.977 and this and that and the others. It was a very short response, and that is what I would like. An accurate reflection of what actually took place at the meeting. That was my motion.

Mrs. Prystaloski: But you are saying it did reflect 1.9 million right?

Ms. Graff: No, what was actually reported, and I don't have that with me, was the specific amounts to each of several different funds. Do you have that with you?

Ms. Ahrens state the revenue for the General Fund for 2012 was $1,214,466.35 and the expenditures were $1,340,676.26 and the carry-over from 2012 to 2013 was $1,997,995.34. That is not what she said.

Mrs. Prystaloski: Why is it in the minutes then if it was not what she said?

Ms. Graff: I do not know.

Mrs. Prystaloski: Then what is it that you think she said Carol?

Ms. Graff: I know what she said, she said 1.9 million.

Mrs. Prystaloski: Not $1,977,955.35?

Ms. Graff: First of all, my question isn't in there at all. The question that I asked isn't in there, the response that she would like is in there, and the two do not go together. It is not accurate, and it does not reflect accurately.

Mrs. Prystaloski: So ask your question one more time Carol.

Mr. Paxson: You want your question in the minutes?

Ms. Graff: I want the question and the accurate response to be an amendment to the minutes.

Mr. Paxson: An amendment to the minutes?

Ms. Graff: Yes, I am amending your motion to approve the minutes. My amendment as a motion is that my question should be there, the response to that question should be reflected in the minutes as to make them accurate. So now we have to vote on the amendment to the motion.

Mr. Barone: Are you ready?

Mrs. Prystaloski: No I am not ready.

Ms. Graff: You are not ready to do that? Should we just put the minutes off then?

Mr. Paxson: I think we should approve them as they are.

Ms. Graff: We have to vote on the amendment first.

Mr. Paxson: You made the motion.

Mrs. Prystaloski: And I seconded that motion, but I am still not clear. I know what you want to say Carol, and I think I know what Christy says, and I think you both had the same idea, and the only thing that is missing is that you asked the question.

Ms. Graff: And an accurate response, that was not the response.

Mrs. Prystaloski: And what do you think, if you cannot approve it because of the accurate response, what is the accurate response you are asking for?

Ms. Graff: The accurate response was 1.9 million. I would have to check the tape, but it was not what she put in there, and that was only one section of the minutes. I am not complaining, I mean the whole set of minutes was very poor, extremely poor.

Mrs. Prystaloski: Then I don't understand, you are saying 1.9 million is not right, you want it 1.997….

Ms. Graff: No, No, her answer was 1.9 million, not what she put in there.

Mrs. Prystaloski: What did she put in there?

Ms. Graff: She put in this stuff that she did not say, she did not state that.

Mrs. Prystaloski: Well if that is part of the minutes, how did she not state that?

Ms. Graff: She wrote the minutes, she puts in what she wants.

Mrs. Prystaloski: No I don't think so.

Ms. Graff: Yes she does, she puts in what she wants.

Mr. Paxson: Call the question.

Ms. Graff: I am very adamant.

Mr. Paxson: Call the question.

Ms. Graff: Okay, we will call the question on the amendment, which will reflect in the minutes that it was an amendment, and it was a motion because all motions evidentially are resolutions.

Roll Call: Mr. Paxson, no; Mrs. Prystaloski, yes; Ms. Graff, yes.

Ms. Graff: Now we vote on the amended minutes.

Mr. Paxson: Wait, I made a motion.

Mr. Barone: Yes, we should have voted on the first motion that was made.

Ms. Graff: No, when you have a motion, and then you have an amendment, the amendment gets voted on first, and then the amended motion gets voted on, that is Roberts Rules.

Roll Call: Mr. Paxson, yes; Mrs. Prystaloski, yes; Ms. Graff, no.

2013-121 Mrs. Prystaloski made a motion to approve the minutes of the regular meeting held April 1, 2013. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

2013-122 Mrs. Prystaloski made a motion to approve the minutes of the regular meeting held April 15, 2013. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

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PRE-SCHEDULED SPEAKER:

Ms. Deborah A. Leopold the director of environmental health with the Greene County combined health district gave a brief overview of what the Greene County combined health district offers in the way of mosquito control. She outlined who the residents could call when they had questions concerning mosquito control and programs are offered to help control the mosquito population. She passed out literature, which is available at the Township Administration building located at 1981 Dayton-Xenia Road.

Citizens desiring to speak – None

Old Business – None

New Business – None

Administrator:

Mr. Zaharieff: Thank you Board, good afternoon. I am requesting to schedule a special meeting to discuss two topics. One is to present the top three candidates for our Zoning Administrator/Inspector job and schedule a meet and greet with our Board of Trustees, and also to reschedule one that we postponed to discuss the purchase of park land. I did throw out a couple of dates. I did hear from one Trustee that afternoon was better, after 2 o'clock on May 2. That will be this Thursday. Or May 6 could be a possible date as well, that will be next Monday. I would probably recommend that the Trustees spend at least a half an hour with each candidate during the meet and greet session, and then at the end we have some discussion about the position and hear my recommendation as well.

Mrs. Prystaloski: Will that be here?

Mr. Zaharieff: Yes, it will here, and then the discussion of Park Land after that.

Ms. Graff: It will be one at a time then?

Mr. Zaharieff: Yes, one at a time like we did the last time.

Ms. Graff: I am free Thursday afternoon at 2 o'clock, 2 to 4 so not a problem.

Mrs. Prystaloski: I think that day is fine for me.

Ms. Graff: You think that day is good for you Mr. Paxson?

Mr. Paxson: What day are you talking about?

Mr. Zaharieff: This Thursday, May 2, or May 6 which would be Monday.

Mr. Paxson: Yes that will be alright, May 2 is alright.

Mr. Zaharieff: May 2 at 2 o'clock?

Mrs. Prystaloski: Is that enough time to notify them?

Ms. Graff: Yes and it gives you enough time to put it out in the paper too.

Mrs. Prystaloski: Well that was easy, should we try something harder?

Mr. Zaharieff: Thank you.

Mr. Barone: What time was that?

Mr. Zaharieff: 2 o'clock. We will have the candidates here. Last time we had just a few refreshments there for the candidates, and it is an informal discussion between the Trustees and the candidates.

Mrs. Prystaloski: Could you provide a brief bio on the candidates?

Mr. Zaharieff: Yes, I will send you the top 3 candidate's resumes. I will send that to you today. We will schedule the three of them in, and then after that you will have the recommendation from the interview panel, which candidate scored number one during that process, and the recommendation from me as well.

Mrs. Prystaloski: Do all three candidates understand PUD's?

Mr. Zaharieff: Yes all three candidates, one of the questions that was asked all three candidates that are being brought forward understand PUD's, but two of the candidates have limited experience with PUD's coming from their Townships that they used to work for.

Ms. Gustafson: They have not worked on it, they have an understanding. There is only one out of the three that has direct experience.

Mr. Zaharieff: Yes, also the Board did indicate to make the candidates aware of the future with all the annexation issues, all the candidates were made aware of that as well.

Mrs. Prystaloski: Okay thank you.

Mr. Paxson: A question I had from the last meeting, this was the job description, and under "work schedule" there was a blank. Did you fill the work schedule in?

Mr. Zaharieff: Yes, what was presented was the updated one, taking out the flexibility, reporting to the Township Administrator and there was one more thing Mr. Paxson that you recommended. That was in there as well.

Ms. Graff: It said forty hours a week including the evening meetings.

Mr. Zaharieff: Yes, and the flexibility was taken out. The only other change that was presented that the Board approved last meeting was reports to the Township Administrator, as opposed to the Board of Trustees. I can get you another copy.

Mr. Paxson: Should we add anything to that?

Ms. Graff: We have to amend it.

Mrs. Prystaloski: Dan, I think when you see the other one, it answers all the concerns you had.

Mr. Paxson: I will have to show you this. It would be good to get this in there, just because of a couple of complaints I had about the previous one.

Ms. Graff: Did you just want to speak to the Administrator and bring it back?

Mr. Zaharieff: Yes, absolutely, just get it to me and we will look at it.

Mrs. Prystaloski: I think it may already be addressed when he sees the whole thing.

Mr. Zaharieff: I will get you a copy of it.

Ms. Gustafson: We can't hire based on that, whatever change you are proposing, because we have already advertised for the position, so any changes to the job description are going to need to be made once the person is hired.

Ms. Graff: Now, the park land. Are we going to deal with the park land on the second also?

Mr. Zaharieff: Yes if we have time.

Ms. Graff: And the other issue, you still do not have anything yet?

Mrs. Prystaloski: The park land thing, what time are you talking about that?

Ms. Graff: The same meeting on Thursday.

Mrs. Prystaloski: How can we do the meet and greet and the park land at the same time?

Mr. Zaharieff: No we will do all of that at the end after you meet with the candidates.

Mrs. Prystaloski: At 4 o'clock?

Ms. Graff: 3:30 or 4 o'clock.

Mr. Zaharieff: It will be just a quick discussion, and hopefully direction from the Board of Township Trustees to staff in regards to potential land.

Ms. Graff: Whether we should buy it or not?

Mrs. Prystaloski: So we can't do that at 1 o'clock, we have to do that at 4 o'clock?

Ms. Graff: That's right.

Mr. Zaharieff: And if we do not get to it, I will move it over on the schedule then.

Human Resources: No Report

Zoning: No Report

Information Technology: No Report

Road: No Report

Fire:

Mr. Dorsten:: Good afternoon Board, just a couple of quick things here. The first one is the purchase of computer equipment for the new medic that will be in shortly. Computers used to do the EMS reporting and firehouse reporting required for all of our incidents. We are looking to purchase a computer from Hubb Systems. Associated with the computer is a modem and a printer and then the installation costs. The installation will be from P&R communications. They are currently installing all the new radios in our vehicles as well. So, I just need your

permission to purchase that. The reason it's broken down into four different purchase requests because it is four different vendors.

Mr. Zaharieff: Board just to add, all four of these items were budgeted for the new medic during the budgetary process that was presented.

2013-123 Mrs. Prystaloski made a motion to approve the purchase to Hubb Systems Data 911 for the purchase of a computer for the new medic unit in the amount of $4,000.00, and authorize the Township Administrator to sign for the Board. Ms. Graff seconded.

Mr. Paxson: I have some questions on that. How old is the medic that is going to be replaced?

Mr. Dorsten: The medic that it will be, medic 62 will be going into reserve, so we will have two reserve medics, plus the bariatric unit. So, it's going to maintain its computer. I do not know the age off the top of my head, 2006 or 2007 somewhere in there.

Mr. Paxson: Alright, I was just curious because you made a reference to the life expectancy of the computer 8-10 years. This other stuff you're asking for, we can save about $6,000.00 moving from one medic into the other medic, as opposed to buying.

Mr. Dorsten: Well, we could, but we want to use that one as a reserve. So what we have done in the past is keep the reserves in a ready to go state. Otherwise, we would end up pulling equipment out of one going out of service for a simple two hour maintenance. It's going to take an hour to pull everything out and transfer it over to reserve. Maintain it in reserve and it is ready to go.

Ms. Graff: The key is we are not going to surplus any medic at this point.

Mr. Dorsten: Correct, we are not going to surplus any medic at this point.

Mrs. Prystaloski: So how many reserve medics do we have?

Mr. Dorsten: We will have two reserve medics, and then the bariatric medic for a total of seven units.

Mr. Paxson: Can the bariatric medic be used as a front line medic? Is it equipped the same?

Mr. Dorsten: It is not equipped the same as, because when we do use it as a bariatric unit, there is some equipment that gets transferred over from the medic on the scene. Part of it is compartment space for the bariatric equipment. So right now, if we put it in service as a reserve, we take away the bariatric capabilities of it, because we have to take the ramps and stuff out and store them within the station.

Ms. Graff: Is the new medic equipped with any of the ramps or winches?

Mr. Dorsten: No, it is not. But the mounts, one of the changes that were made in the specifications were the mounting for the equipment was added so that when we get rid of the current, surplus the current bariatric unit, we will have one that can take its place without having to do any modifications to it. We can just transfer the equipment over.

Mr. Paxson: Call the question.

Roll call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

2013-124 Mrs. Prystaloski made a motion to approve the purchase request to Motorola Solutions, Inc for the purchase of a modem for the new medic unit in the amount of $1,680.00, and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

2013-125 Mrs. Prystaloski made a motion to approve the purchase request to M&J Technologies for the purchase of a printer for the new medic unit in the amount of $269.43 and to authorize the Township Administrator to sign for the Board. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

2013-126 Mr. Paxson made a motion to approve the purchase request to P&R communications for the installation of the radio and computer equipment in the new medic in the amount of $4,000.00 and to authorize the Township Administrator to sign for the Board. Mrs. Prystaloski seconded.
Roll Call: Mr. Paxson, yes; Mrs. Prystaloski, yes; Ms. Graff, yes.

Ms. Graff: We had four, but we have five purchase requests.

Mr. Dorsten: There is a second item on the agenda, but that is a separate purchase request.

Ms. Graff: Alright, whichever one you want to make now.

Mr. Dorsten: I believe that covered everything for the medic. The next item we need the Boards approval on is for the software support maintenance agreement for Catalyst. Catalyst is the software we use for interoperability for the raffia system. It is computer software that allows us to link radios together. We've had this software in place since 2006. This should be the last year we need the full maintenance and support agreement. We had previously paid for this through W.S Electronics. This year, we are paying Catalyst directly, and the reason this will be the last year for that is the migration of the new radio system county wide will help address these issues. We had used the equipment in the past for the popcorn festival and for the fourth of July so the Sheriff's department, Police Department and Fire Department all can get together.

Mrs. Prystaloski: Why are we switching from W.S. to this one?

Mr. Dorsten: We have had a history of issues with W.S. on this particular agreement. I am not sure all the reasons behind it, but we worked it out with Catalyst to do it directly through them, separate from our radio service agreement. In the past, they have been paid jointly. This was a way we decided to designate.

Mrs. Prystaloski: Are we saving money?

Mr. Dorsten: No, the fee is the same this way.

Ms. Graff: Catalyst did not provide it before, I do not believe.

Mr. Dorsten: It had come through W.S. before. Where we first started working with that, W.S. was the provider for Catalyst. During that process between 2006 and now, we have developed a relationship with Catalyst where we had done a lot of testing for them, so they were willing to allow us to pay them directly.

Ms. Graff: What's going to happen when we move to MARCS? When the County activates MARCS and we move there, we will not be using W.S. Electronics as I understand it correctly.

Mr. Dorsten: I can't answer that 100% that we won't be using them at all.

Mr. Zaharieff: The County made it perfectly clear at the meeting the other day, come December 31 that they will no longer be supporting or working with W.S. Electronics. That everybody has to be up and running on the MARCS system by January 1. The county is no longer going to continue their contract with W.S. Electronics, so we will be at some point during the year. The date has been moved back and forth, and we are hearing now a July timeframe that we should be able to migrate to MARCS. But there is an absolute deadline that the County Commissioners voted on that was December 31. Obviously, migrating to MARCS saves the County a lot of money in regards to providing or subsidizing if you will the jurisdictions.

Mr. Paxson: You're talking about the $26,000.00 right?

Mr. Dorsten: Correct.

Mr. Paxson: And the County is mandating when they are going to switch over. We are looking at this, putting this dispatch center in the basement of Station 61? Why make this move right now? Why not wait and see what unfolds and see what the County is going to do. Why spend the $26,000.00, and in June, you're saying or July we are looking at doing something else. It seems to be a waste to spend this money then the County is going to mandate something else if it' their system. We are going t spend $26,000.00, or if it's going to mold into what they are going to need for that system over there.

Mr. Zaharieff: Right, we will no longer need Catalyst after the migration is complete. We just do not know the exact time that the migration is going to take place.

Mr. Paxson: You just told me June or July.

Mr. Zaharieff: That is what they are telling us, we still have to put the towers up.

Mr. Paxson: That is just a couple of months away.

Mr. Zaharieff: I know, to be honest with you I do not really anticipate the July deadline. This is what the county's putting out. I do not know how true that is, because they still have to put up the towers. The County still has to put $4,000,000.00 for the towers to the MARCS system.

Mr. Dorsten: The concern I have right now is we use this stuff every day. Right now, this stuff is in place, it is functioning and we are utilizing it. We work with Montgomery County departments, we utilize Catalyst. Kettering comes to Beavercreek, or Beavercreek goes to Kettering and we are using the Catalyst software to make out patches. S o we have a functional need right now for it.

Mr. Paxson: Is the a re-up on the?

Mr. Dorsten: This is a re-up, to my understanding for the calendar year 2013

Mr. Paxson: When does the year run? How much time do we have on it? And can Catalyst maybe pro-rate us and take us by course instead of by a whole year, can't we just by a couple of months?

Mr. Dorsten: I do not know that answer Mr. Paxson, I don't have that answer. Going off past practices, where we are at, we have utilized it for a year. My understanding is that the service agreement we were paying for started January 1. It was just the way our billing cycle went with them getting it through W.S. Electronics. Initially, in the past we followed that same billing cycle. We are in the same billing cycle we have been, but it is my understanding that the service is provided on a calendar year basis.

Ms. Graff: Let me read what Chief Hiester wrote, because he is the one who is proposing this "attached you will find a request for a purchase for the annual software support and maintenance agreement with Catalyst Communications Technology. This purchase is budgeted for and this is projected to be the last year we maintain this software support agreement. With the transition to the new radio system, we are continuing to evaluate the need for this resource in the future. At this time, I anticipate the elimination or reduction of this support for 2014. We plan to utilize this resource heavily during our transition onto the new radio system, and with a number of agencies moving onto the new system, we are re-evaluating the need for this resource for the future. As referenced with last year and this year's W.S. Electronics renewal, we are making this purchase directly with Catalyst for their products, rather than through a secondary vendor." So it's a constant re-evaluation through this year to see who is going on MARCS, how many will be there and how much we still have to be able to communicate with those who are not. Is that your understanding?

Mrs. Prystaloski: You have already budgeted this?

Mr. Dorsten: Correct.

Mrs. Prystaloski: So, this is part of that budget we have to pay odd. We have already paid some of it. It will still have a balance of $1,000.00, so if we've got to pay it and it's going to end at the end of the year, probably, we will have to re-evaluate it.

Mr. Dorsten: Our plan is to re-evaluate that before we come back to the budget process.

Mr. Zaharieff: The one thing that it is also used for, as the Chief mentioned, is the interoperability between Montgomery County departments and Greene County departments. Montgomery County is going to the MARCS project. They are going to what they call a tier three where they own the system, or we are a tier three and they are going to a tier one, I do not know the tiers, but they are way behind where Greene County is in regards to migrating to MARCS. Montgomery County is going to switch to MARCS. They are going to own the system, which means they, Montgomery County is going to be 100% responsible for everything, the radios, the towers, software, whatever. So we are going to have that delay in regards to Montgomery County. We don't do much with Clarke County. Clarke County is also migrating to MARCS, as well as Fayette County and Warren County, but they are way behind us in regards, well I shouldn't say us, it's not the Township. They are way behind Greene County when it comes to migrating to MARCS. So we will still need this software so that we can communicate with Kettering Fire Department, Riverside Fire Department, and Wright Patterson Air Force Base. Although Wright Patterson as I mentioned in one of my e-mails, they may not want to be chained to anyone due to the cuts. So this is software that we still need for the system; hopefully, once we migrate to MARCS, we won't need that, but we don't know yet.

Ms Graff: It is dependent on what the other jurisdictions with whom we communicate with what they do. I know we work very closely with Riverside. There is a back and forth with us in the Saville Farm area and we do a lot with Kettering down there south of the mall itself, Greene Town Center. Would you make a motion.

Mrs. Prystaloski: Because now that I understand this, and it's already budgeted, we are going to re-address this at the end of the year. We are fulfilling our obligations, is how I am reading this.

2013-127 Mrs. Prystaloski made a motion to approve the purchase request to Catalyst Communications for a software support and maintenance agreement in the amount of $26,604.00 and to authorize the Township Administrator to sign for the Board. Ms. Graff seconded.

Mr. Paxson: Here is where I am going to go on this, I think that we owe it to the taxpayers to see if we can purchase this on a quarterly basis. Because if we buy this for $26,000.00 and then in three months we are up on the MARCS, then there it goes. Catalyst won't work with us and buy four months of service from them for a quarter of the cost, whatever it is? Based upon that, I am going to have to say no.

Mrs. Prystaloski: Dan, we are already obligated to this for the whole year. We can't go and ask them to do it for three months now is that correct?

Mr. Dorsten: My understanding is yes. I don't know for a fact.

Mr. Paxson: We are on the fence here with this dispatch.

Mrs. Prystaloski: I know, but we have an obligation through the end of the year.

Ms. Graff: I think we are mixing two things. What he is saying is that even if we migrate to MARCS, and the other communities with whom we have mutual aid do not, we need this operational software.

Mr. Dorsten: They still need time to come up on the same platform we are working on, so we are all on the same platform. Just because we go to MARCS, does not mean that Montgomery County July 2 is up and running where we are at, because they have to have time to ramp up and come up to the new platform as well. It doesn't mean that we will be able to directly communicate with Riverside or Dayton or Kettering or Washington Township the day after we to on MARCS, because they still have some of the old technology equipment that has to come up which is what their migration plan is and that can conceivably take them through the end of the year.

Mr. Zaharieff: Just an example, recently where we used this software was the incident at the high school where we had multiple agencies outside of Greene County.

Mr. Paxson: We all know that the interoperability system is down, that they are configuring that whole unit over to command post.

Ms. Graff: It's command post in addition to.

Mr. Dorsten: There is equipment in the stations that is up and running every day that is Catalyst based equipment at Station 64 that maintains the link between Beavercreek and Montgomery County. At this minute, this software is up and running. That's what we need to maintain, the equipment. What is being

converted into the command unit is functional, it's there, and it's just not truly functional as a command post yet. They are working on it, but that equipment is all functional. We use it at the Popcorn Festival and the Fourth of July. The way it sits right now in these cases, it is utilized, it's the Catalyst Equipment. It is radio equipment all in the same case. It works together every day and if we need it right now, we could take it out and just.

Ms. Graff: Is it an either, or? It's not a command post or interoperability. It's going to be both, as I understand it.

Mr. Dorsten: Correct.

Ms. Graff: It's still going to be the communications and modified to, because of the size that you can have a command post in there and it will be doing dual. Not either , or operations.

Mr. Dorsten: Correct.

Mrs. Prystaloski: Call the question.

Ms. Graff: I think Mr. Paxson had another statement.

Mr. Paxson: No, go ahead.

Roll Call: Mrs. Prystaloski, yes; Ms. Graff, yes; Mr. Paxson, no.

Mr. Paxson: I voted no because we need to know if we can get this on a quarterly basis. Is it all the way to the end of the year now, from January to January?

Mr. Dorsten: Right, and that's the cycle it has been on that I am aware of since we have had it.

Mr. Paxson: January is when it begins, but we pay when we re-up it.

Mr. Dorsten: We just got the bill squared away for W.S. Electronics which is the same thing, at the last meeting to maintain the cycle.

Ms. Graff: So we have already had a quarters worth?

Mr. Dorsten: To my understanding that is correct.

Ms. Graff: Thank you. I believe next up is our Legal Advisor.

Ms. Frick: Trustees, I sent you all some proposed resolutions to address the things that we discussed quite some time ago back on March 15. To kind of clarify it, I think for legal counsel, not only myself, but all legal counsel as well as for the Township. I put these together based on what I thought my understanding of what that conversation was. It's just coming to you now because I know there were times when all the Trustees were not present. I waited to make sure we discuss this when everybody was present, and so you have them before you now. One dealing with communications to legal counsel and communications to employees, and that's why I put them together based on what my understanding was from the discussions, but if it was incorrect, then.

Ms. Graff: I think the first one we have in the packet was the legal counsel.

Ms. Frick: That is correct.

Ms. Graff: And I think you sent us a modified one.

Ms. Frick: Right, I corrected it to, and I apologize the signatures lines were incorrect on the back and they have been changed to reflect you as Chair and Mr. Paxson as Vice-Chair and to address the concern Ms. Ahrens had about making sure that she could contact us regarding specific financial issues as well.

Ms. Graff: Correct, and I think when I looked at it, it looked good to me. Did anyone else have a comment?

Mr. Paxson: I do not like it. I think it needs to be looked at further myself. This isn't totally what we talked about and I think it has moved to tie the hands of the Trustees on this last article in here and that was not the intent. The intent was to curtail and control the use of attorneys from the Township Administrator down, not necessarily from the Trustees. The Trustees would not necessarily have the ability to go out on their own to seen an attorney opinion without the knowledge of the other Trustees, but not necessarily with the majority voting on it. And without looking into the affairs, the bottom of this resolution keeps the Trustees from looking into any affairs within the organization it appears to me without going through the Township Administrator.

So how can I as a Township Trustee do business and look into something if the Township Administrator isn't here or if I have to go through him, what if it has to deal with him?

I do not understand what this is saying, so before I vote on this, I would like to really look at this because I do not want to tie my hands as an elected official to represent the people of this community.

Ms. Frick: And it is not my intent to tie your hands by any means, and that is why I put it out there so hopefully we could address those issues now because I want to make it so we can address some of the concerns you raised on the 15th, as well as the concerns, and I know there were concerns about the billings over the past year where an individual Trustee particularly, and I am trying to address that and I am certainly open to working this language out to address everyone's concerns.

Mrs. Prystaloski: I don't think that we have a disagreement on the first one at all do we?

Ms. Graff: He does.

Ms. Frick: He does.

Mrs. Prystaloski: He does on the first one?

Ms. Frick: He has concerns with the last paragraph.

Ms. Graff: I have a different impression of what took place at that same meeting, because it was definitely my impression and my purpose in talking about it was that individual Trustees do not go to legal counsel. We go through the Township Administrator to find out if those are things that happened and the Administrator did do it. If there is something that we as a Board feel and we get together as a Board and then vote, we as a Board can then go if we have a vote of the Board then I think that allows us to go to legal counsel. But I think this is saying each one of us as individual Trustees does not pick up the phone to call legal counsel.

Ms. Frick: I also think maybe to address one of your concerns for instance, if it was something related to Mr. Zaharieff then I think in that sort of situation what we would do is you would call an Executive Session to discuss personnel matters as a Board and then those matters could be discussed and then it wouldn't be going

through the Township Administrator, it would be coming from the Board of Trustees directly to me as a Board, and maybe we could clarify this language.

Mrs. Prystaloski: What if Dan has a question and I have a question and we hear from Alex and we still do not understand it, would we be able to say okay just call the legal advisor?

Ms. Graff: If he approves it. If the Township Administrator after it has gone through and he says well you call, then I think that is permitted by what it says here.

Mr. Paxson: This ties our hands as elected officials, if there is a conflict between Trustees, a conflict is what I am saying, and we know that happens in politics. If one Trustee wants to look into something for the benefit of the taxpayer, and the other two Trustees can say no we do not want you to look into that. But I think we ought to have the liberty, not to go behind any Trustee's back, but to say in an open meeting, this needs to be looked into and this is why it needs to be looked into to make your argument.

Mrs. Prystaloski: I don't think that is the problem, this is the problem with calling the attorney's all the time. If you want to look into something in Tim's office, or Jim's office, or Dave's office then you can do that.

Ms. Graff: No, you go through the Township Administrator that is why we have an Administrator, it goes through the Administrator.

Mr. Zaharieff: One of the discussions on legal that was brought up was $7,000.00 worth of billable hours between our attorneys that the other two Trustees did not have 100% knowledge of. I am piggy backing on what Ms. Frick said is that based on that discussion on the 15th, the Board said no, we have to be aware of what is being asked of our attorney as we are getting a fee for that and using tax payer money for those questions.

So I think that is what Ms. Frick is saying here, is that there needs to be a knowledge of these questions, and I think Mr. Paxson, you brought up that you weren't aware of some of these bills and some of these questions that were being asked by some of the Trustees.

So I think what we are trying to do with the resolution here is make sure that the Board is aware that there are discussions taking place with legal counsel whether it is Ms. Frick's office, Taft's office, Dunlevey's office or Ms. Carters office.

Ms. Graff: These are for all of ours that are under contract.

Mr. Zaharieff: Yes.

Mr. Paxson: The purpose of this was to curtail the use of attorney's because it has been all over the place and we want to narrow that down and get control of that and have an understanding of who is using attorney's, that was the whole intent of this and I am not sure it does that.

Ms. Frick: Well let me ask you this Mr. Paxson, in that last paragraph, rather than saying without the consent of the majority of the Board, if we changed it to without the knowledge of the majority of the Board, would that help your concerns, because it would not require a vote?

Ms. Graff: I do not know where we are.

Ms. Frick: Because just like the example you gave, it may come up in a public meeting that you want addressed and everyone is aware of it in a public meeting,

but maybe it's not necessarily voted on by everybody, but everybody is at least aware of what you want addressed.

Mr. Paxson: If it is worthy of looking into, and getting a legal opinion. We get legal opinions on stuff that we don't even ask for as a Board, and the next thing we know, here comes a legal opinion on something that we have been discussing and we as a Board do not ask for it. It has come up the chain of command, not down the chain, and that is what I am trying to curtail. The legal opinion should be from the Board down, and we are getting information back on the request of the Board on legal opinions that we as a Board did not ask for. It is coming up the chain. We need to be able to present the case on our behalf as a Board. Our whole main purpose was to run this through Alex, so we have an avenue so we know what's going on, not to tie our hands as Trustees.

Ms. Frick: And that was not my intent, I was trying to do that in a way, because I think it makes it better for the attorney's as well so we understand who contacts us.

Mr. Paxson: And who is okay to contact you.

Ms. Frick: Exactly.

Mr. Paxson: I think we need to revisit it so we can nail down in more detail.

Ms. Frick: But I think if you put too much detail in it, you are going to tend to tie your hands more than if you leave it a little more general.

Mr. Paxson: My whole point was for this to be put into the handbook under a separate article not necessarily a resolution.

Ms. Graff: You want this as a policy?

Mr. Paxson: To have a separate article as a policy in the handbook. The reason to address this was the subordinates of the Trustees, not the Trustees themselves. We understand that there was a Trustee who abused, and we can curtail that amongst ourselves in a different way, but from the subordinates down we need to put this in the handbook as a policy that says if you are a department head and you need to contact an attorney, you go through the Township Administrator first to make the contact, then the Township Administrator either makes the contact or he has knowledge of what is going on so when we get those bills we are familiar with them and we know what they were for.

Mr. Zaharieff: That is currently being done now, it has been going on since I have been hired. There is no department head that makes contact with legal counsel without my knowledge or approval, so that is currently being done now. I think what it was was the $7,000.00 worth of billable hours were by individual Trustees making contact to the attorney and it puts the attorney in a bind as well, because they are assuming to do this work and bill for this work as well without the knowledge of the other two Trustees.

Mr. Paxson: $7,000.00?

Ms. Graff: 7,000 hours?

Mr. Zaharieff: No $7,000.00

Mr. Paxson: How much did we spend in attorney fees, $100,000.00?

Ms. Graff: Yeah

Mr. Paxson: And we are worried about $7,000.00 because Trustees are making calls?

Mr. Zaharieff: That was the impression I had at the meeting, that you were concerned about that. I don't think it was the amount, I think it was looking at the bills and not having knowledge.

Mrs. Prystaloski: Nobody had knowledge that was happening?

Mr. Zaharieff: I understand what you are saying Mr. Paxson, but what we got from the meeting was that there was billable hours that the other two did not have knowledge of. There were requests being made by an individual Trustee.

Mr. Paxson: I understand, but there were a lot of billable hours that we did not have knowledge of, a lot of billable hours.

Mr. Zaharieff: But anything that the staff has like the agreements, before they come to you and agreement will come to me. For example, you will have one coming up for the Citrix agreement. That will go to me, then I say to the department head, absolutely get it to Ms. Frick. Ms. Frick reviews it, there are changes to protect the Township, we have to go back to Citrix and say we don't want this language in there and then it is modified. So when it comes to the Board of Township Trustees, it is ready to sign and it has been approved by legal.

Ms. Graff: Does she now have a stamp?

Mr. Zaharieff: She does have a stamp right there, but we do not use it much.

Mrs. Prystaloski: Do we agree for to read knowledge instead of consent, and then I will approve this?

Ms. Graff: So you are making a motion to approve the resolution with the last modification that Ms. Frick made with the modification of the word in the last sentence from consent of the majority to knowledge of the majority?

Mr. Zaharieff: Do you want both of them to read the same?

Mrs. Prystaloski: Yes

Ms. Graff: At this point, let's do the legal one.

Mr. Paxson: Are we on the same one?

Ms. Graff: This is the one she sent today.

Mr. Barone: There are two, let's make sure we are on the same one.

Ms. Graff: This is the right one, we are going to change the word knowledge of the majority to the Board of Trustees, and this is dealing with contacting legal counsel.

Ms. Frick: Okay, I was looking at the wrong one.

Ms. Graff: This is the one for Attorney's.

Mr. Paxson: Yes, strike the word consent.

Mrs. Prystaloski: Make it read knowledge.

Ms. Graff: This was the one that was modified to add the Fiscal Officer for billing and financial.

2013-128 Mrs. Prystaloski made a motion to approve the resolution with the last modification that Ms. Frick made with the modification of the word in the last sentence from consent of the majority of the Board to knowledge of the majority of the Board. Mr. Paxson seconded.

Mr. Paxson: Let's read what it says again. "That no individual Trustee or Elected official may direct the Township Administrator, or Township Attorney's in legal matters without the knowledge of the majority of the Board of Trustees."

Mr. Zaharieff: This resolution is dealing with legal, so I don't think you need the word legal in there.

Ms. Frick: Yes you do

Ms. Graff: He wants the word legal in there and I have no problem with it.

Ms. Frick: If you want, I can go back and revise these and bring them back.

Ms. Graff: It is two words, we can stick it in.

Mrs. Prystaloski: Just stick it in and let's vote on it. Call for the question

Ms. Graff: Let's read that. The last sentence will be modified to read. "Further be it resolved that no individual Trustee or other elected official may direct the Township Administrator or Township's Attorney's in legal matters without the knowledge of the majority of the Board of Trustees."

Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

Ms. Graff: Let's have this reprinted and we will sign the new one, but it has been approved.

Mr. Paxson: Let's initial this one.

Mr. Zaharieff: Yes please initial that one so we make sure that is how you want it printed.

Ms. Graff: We have the second one that has to deal with Township Administrator, which essentially says everything goes through the Township Administrator.

Mr. Paxson: I don't agree with this.

Ms. Graff: Where do you have a problem with this one?

Mr. Paxson: I don't think that we should, I mean if we want to get a report from the Chief or we want to get financial documents from the Fiscal Office, we have to go through the Administrator to get those?

Ms. Graff: Just ask him to get it for you.

Mr. Paxson: No

Mrs. Prystaloski: We do not have to go through the Administrator to talk to the Fiscal Officer.

Mr. Paxson: Well that's what this says. It says to direct the affairs, the divisions of the Township. What if he is gone on vacation or what if he is out on an emergency?

Ms. Graff: He has someone in charge.

Mr. Paxson: Again this ties our hands.

Mr. Zaharieff: I agree with Mr. Paxson on the language change on this one as well, I think it should say knowledge instead of consent, but we had the same discussion back on the 15th. There were some questions and concerns by the Board individually directing department heads to do things without the knowledge of the other two. So that was part of that discussion as well.

Mr. Paxson: I think sometimes things have to be done without the knowledge of the other two when you are looking at an investigation, and I am not talking about legally, I am talking about looking into Township business.

Ms. Graff: But Trustees do not do investigations.

Mr. Paxson: You did an investigation on the handbook one time.

Ms. Graff: No I didn't

Mr. Paxson: Yes you did when there was uproar over which handbook we were using.

Ms. Graff: That was not an investigation; I did not do such a thing.

Mr. Paxson: What I am saying is this needs to be struck down because we need to have the ability to look into things, because of differences in Township Trustees opinions about things and sometimes you need to look into things.

Ms. Frick: I think the point of this was and maybe it's not clear, but the point of this was not that you can't look into things, but this is talking about specific direction towards the staff. So if you want to direct a department head to do something particular, then that goes through the Township Administrator.

Mr. Paxson: If I want a factual document from the Zoning department about how many Zoning permits were issued and all of that, I could not go to the Zoning person and ask for that, I have to go through the Township Administrator?

Ms. Graff: Just as Alex to get it for you.

Mr. Paxson: I think we should be allowed to go to our Department Heads and ask for data that they keep on a regular basis without going through the Township Administrator, because if I am doing a project I don't want to have to wait.

Mrs. Prystaloski: So what do we have a Township Administrator for then?

Mr. Paxson: The Township Administrator takes care of day to day Township business.

Mrs. Prystaloski: Well what do you think that is?

Mr. Paxson: The Township Administrator is out at meeting and is going to be tied up with the County dispatch. How many meeting do you go to a week Alex?

Mr. Zaharieff: A lot.

Mr. Paxson; Alright, so there is nothing wrong with us calling a Department Head and asking for certain data, what is wrong with that? We have to go through the Township Administrator to do that?

Ms. Frick: But is asking for data the same as directing, and I am just asking you as a Board of Trustees?

Ms. Graff: I would say asking for data is one thing, directing someone to do something that the Board has not approved is something else.

Mr. Paxson: That is interpretation, because now it says you need to go through the Township Administrator to get this. It leaves it up to interpretation.

Ms. Graff: But if it takes five hours to get something.

Mrs. Prystaloski: But that has nothing to do with the Fiscal Officer, because that is another elected official.

Ms. Graff: Fiscal Officer is separate, I don't know why that is in here at all.

Mrs. Prystaloski: So that she is also protected and people can't contact her directly without going through Alex.

Ms. Frick: The Fiscal Officer is not a department head.

Mr. Paxson: If I want to look into some stats or statistics for the dispatch program that is coming up or that is going to move into our Fire Station, and the Township Administrator is busy out doing something else, and all I want is cost figures on something, I want to be able to get those. If I contact somebody and they say I am sorry, you have to go through the Township Administrator to get this, I don't want that, I want to be able to get those facts when I need them. This ties our hands because it is open to interpretation.

Ms. Graff: So you are saying if you ask for it, then you expect the information to come if it is reasonable information that is factual without having to go through the Township Administrator.

Mr. Paxson: What are you saying?

Ms. Graff: If you are asking for data that you should be able to go for that data to the Department Heads or Fiscal Officer or whoever it is who has the data, and you should have a reasonable expectation that that data information will come back to you within a reasonable amount of time.

Mr. Paxson: Well yes I think so.

Ms. Graff: Okay

Mrs. Prystaloski: Which is exactly what we are saying, if it is a directive where you want something.

Mr. Paxson: Do this, do that is a directive, because if I am asking for something, then I am directing them to give me something back. If you keep statistics on staffing and I ask for a staffing report, then that is a directive is it not?

Mr. Zaharieff: What I think the concern on the 15th was and I am just trying to interpret what we heard on the 15th.

Mr. Paxson: I did not see this as a concern on the 15th.

Mr. Zaharieff: One of the things that was brought up was the concern that individual Trustees were directing Department Heads to do things without the knowledge. So for example, if I get an e-mail which says can you provide me the Zoning stats for 2012, usually the Board sends that e-mail to the rest of the elected officials and to me and I will get that information. Or let's say in the past given to our zoning administrator, but copied to everybody else including me.

I think what we are talking about here is actually ordering or directing a Department Head to do something that the other two Trustees, much like the other resolution does not have the knowledge of that is just my interpretation.

Mr. Paxson: Well if I want to look into something, maybe I want to look into something and get the facts before I present it to the other Trustees, so the facts aren't skewed, because of conflicts. Do you understand what I am saying?

Ms. Frick: Well isn't that just speaking to the employees as opposed to directing them to do something? That where I am trying , and maybe it is a matter of linguists and maybe we can come up with the right language.

Mr. Paxson: That's what I am saying, what is the difference between asking them or a directive? If I ask a subordinate, what is the difference to that subordinate whether I am asking or directing? Asking is just a polite way of directing isn't it?

So we are tying our hands as Trustees with this resolution.

Mrs. Prystaloski: I think you can go to any Department Head and ask, and I hope I know you well enough to ask a question and if they say that is a directive and you need to go to Alex, they will let you know I am sure.

Mr. Paxson: If we are going through Alex, then we do not need a subordinate to tell us whether it's a directive or not. We need to have that up front here so we all understand what it is and there is a difference there.

As a Trustee, it is our duty to ask for certain things, we are running the whole Township. So we need facts and figures periodically to make decisions and why go through a second person. Why don't we go right to the source and say I need this print out because I am looking into this.

This ties our hands, because now we have to go through Alex and it's going to add time to the situation and this ties our hands and I am not in agreement with it.

Mrs. Prystaloski: Well I think asking and directing are two different things.

Mr. Paxson: It is up to interpretation.

Ms. Graff: It is a fine line.

Mr. Paxson: Who interprets that?

Mr. Zaharieff: I think this resolution reaffirms the organizational chart where we have obviously an organization that reports to one person and then that one person reports to the Board as approve by the Township Trustees.

So you have the organizational chart which has three Trustees and then the Fiscal Officer that are all at the equal level, then you have the Township Administrator, then the Department Heads. So I think what this resolution does is reaffirm the organizational chart that has already been approved by the Township Trustees, saying that the information and the requests for information and/or directives are the same directive so the information comes up through the administrator and the same information comes down through the organizational chart as well.

I think that is what this resolution does is reaffirm.

Ms. Frick: That was the intent of the resolution.

Mr. Zaharieff: Right, to reaffirm what the Board has already passed.

Ms. Graff: I just want to know why specific issues with the Fiscal Officer is even in here when this is dealing with the administrator.

Mrs. Prystaloski: So they can call her directly.

Ms. Frick: I think there may be occasions where the Fiscal Officer has specific questions.

Ms. Graff: Well that is completely separate, I don't have a problem with it as long as that's what it is, and that is one of the exceptions.

Mrs. Prystaloski: Dan here is another thing. I go to a Board of Zoning Appeals meeting and they start asking something and I will say gee, can you tell me about that. I am not going to run to Alex and ask him when I am right there talking to this person.

Mr. Paxson: But according to this, you are breeching the chain of command.

Mrs. Prystaloski: No we are not, no we are not.

Ms. Graff: You are asking for information and that is different from directing someone to do a job or modify something, or change something, or spend money that has not been approved by either the appropriations to begin with or by Board approval.

If you are asking for information to make a decision at a later time, that is different from saying you shall do an annual report, you shall do this as a single Trustee, if the Board of Trustees says do it, then that is something else.

Mrs. Prystaloski: I don't want to say, I don't think I have the authority to go to Tim and say I want an audit of what you spent this year on your equipment, I would as Alex that question, and that is king of a remote definition, but asking for something that is already done, not something that is almost legal like an audit, that kind of stuff goes to Alex.

Mr. Paxson: This ties our hands and it says the consent of the majority of the Board of Trustees.

Ms. Graff: We are changing that to knowledge.

Mr. Paxson: No it leaves it open to interpretation to tie the hands of and individual that wants to look into something, because if it is not consented on unanimously.

Ms. Graff: No, but the majority.

Mr. Paxson: I want to look into this, then I have to get the consent of you two to look into it ,and if you say no, then I can't look into it.

Ms. Graff: Exactly.

Mr. Paxson: I don't like that.

Ms. Graff: Okay.

Mr. Paxson: I don't want that. If Candy wanted to look into something, and we say no, then Candy couldn't look into it.

Ms. Graff: Correct. So even with the modification to Knowledge versus consent, you are not going to approve it.

Mr. Paxson: Well let me say this okay, what if one of you is building a case and you are looking into something that you may not want the other two to know about just yet until all the facts are presented, then what happens? If information gets leaked out, it kind of taints things doesn't it?

So maybe the individual needs to look into things on behalf of the taxpayers to present a case without the permission of the Trustees, now I present the case and we talk about the issue.

Ms. Graff: Okay you have had your say.

I have done this and have been in position of administration or supervision for over 31 years and I have never run into that issue that you are bringing up, it has never come up where an individual member of a Board felt that I needed to investigate and go into without the knowledge of the other elected officials with whom I have worked.

So I don't know why this would come up, I've never seen it come up if it is important to come up then you talk to the other Board members in an executive s session or a meeting and say we need to look into this and then you look into it.

Mr. Paxson: You've made that comment, now let me make this comment.

Ms. Graff: No, Mrs. Prystaloski has a comment to make.

Mrs. Prystaloski: Why don't you and Dawn get together for a short amount of time and figure out the right wording that you are comfortable with.

Ms. Graff: I don't think there is any.

Mr. Paxson: Because after spending 35 years in the Fire Service Carol, I can think of lots of times when an investigation could be underway without the knowledge of anybody else.

Ms. Graff: That could be, that doesn't make it proper, and there are a different set of rules for elected officials, it is very specific that we only work and we only have the authority as a Board. We do not have authority as individual elected officials.

Mr. Paxson: We have voting authority as a Board, and I can present things to the Board that we take a vote on.

Ms. Graff: Right, exactly.

Mr. Paxson: Yeah, I can look into anything I want.

Ms. Graff: But as an individual, you don't have any authority to make decisions.

Mr. Paxson: You haven't looked into things by yourself Carol?

Ms. Graff: No

Mr. Paxson: You haven't?

Ms. Graff: No I haven't. I have made requests for information, yes. Do I send it out so everyone knows what I am requesting, yes.

Mr. Paxson: No

Ms. Graff; you don't know what I've requested?

Mr. Paxson: No, I don't.

Ms. Graff: Well then how do you know I've requested it?

Mr. Paxson: After the fact.

Ms. Graff: I think we have beaten this dead horse.

Mr. Paxson: Yes we have, and I think Candy's idea is a good one.

Ms. Graff: Okay we are going to table this for further investigation of whatever it is, I don't know.

Our organizational chart stands as has been approved. The Township Administrator is the person for whom all the Department Heads report and we as a Board are supposed to be going through the Township Administrator for general various information. It does not mean we cannot ask a Department Head for clarification or even for some specific data, but if you put it in an e-mail and copy everyone, then everyone will be knowledgeable on what is taking place.

Mr. Paxson: Now you are just restating the resolution.

Ms. Graff: No I am stating what is current.

Mr. Paxson: No, that is not current.

Ms. Graff: This is current that is what the organizational chart essentially does.

Mrs. Prystaloski: Let's move on.

Ms. Graff: Okay now we have done one resolution and we have another one pending. Mrs. Prystaloski put on the minutes.

2013-129 Mrs. Prystaloski made a motion that all future minutes of the Beavercreek Township Board of Trustees be transcribed verbatim from the audio tape. Ms. Graff seconded.

Ms. Graff: Any discussion? Seeing none, call the roll.

Roll: Mrs. Prystaloski, yes; Ms. Graff, yes; Mr. Paxson, yes.

Ms. Graff: And that is as of today. Second thing is joint operations.

2013-130 Mrs. Prystaloski made a motion to direct the Township Administrator to work with the City of Beavercreek's City Manager to explore the feasibility of joint operations to reduce costs and improve service efficiencies between the City and Township. These operations may include: zoning, fire, and ems services, parks and recreation, and any other services deemed appropriate by the Township Administrator and City Manager. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

Mr. Barone: May I say something before we move on from this topic about the minutes? If this is going to be something that we are going to do, could we look into getting something that is going to be able to transcribe it. I know Jeff and I talked about this topic last week. We are not really set up to do it, I mean transcribing takes days and days and days to do.

Mrs. Prystaloski: Isn't there a machine they've got out now?

Mr. Barone: Or some kind of computer program we could get? Jeff said he would look into it.

Mr. Terry: It is still in the infancy stages. They have voice recognition software, but it's geared towards one person. If you've got to be where everyone is talking, they are not there yet.

Ms. Graff: I don't see any reason not to explore it, bring it forth, but to have people, we have someone who's able to transcribe?

Mr. Barone: Yes, Janet can do it. It does take her quite a long time. I just thought if there was an easier way of getting it done, we can look into it.

Ms. Graff: Yes, if there is an easier way.

Mr. Zaharieff: I will look into it.

Ms. Graff: Easier is good.

Mrs. Prystaloski: And you know what, you may want to watch what you are doing. When there's various discussions, unless it's something that somebody's really adamant about, like we were today, you know you put discussion followed Ms. Graff said this, Mrs. Prystaloski said this.

Ms. Graff: If we are doing verbatim, then we are doing verbatim. At some point if we find that it is too lengthy, we can always modify the resolution to something else.

Mrs. Prystaloski: Right.

Mr. Barone: Okay

Ms. Graff: I think we need to wait for Mr. Paxson to come back, because the next three items are his.
Okay we are up to your issues Mr. Paxson.

Mr. Paxson: I'm up?

Ms. Graff: You have annual reports ?

Mr. Paxson: Yes, several meetings back Alex, you mentioned something about directing the Department Heads to come up with an annual report?

Mr. Zaharieff: Yes.

Mr. Paxson: We have not seen anything yet.

Mr. Zaharieff: The Board had made some priorities in March for me, and I put that on the back burner, because the priorities were clear from the Board in regard to what I was to be tasked with in the next couple of months and I am working on that. The annual report is something I definitely want to do, but I was clearly directed .

Mrs. Prystaloski: He had all the zoning issues.

Ms. Graff: I think the fire reports are in progress.

Mr. Paxson: Well Alex is not doing the annual report, the annual reports are done by the Department Heads. All he had to do was direct the Department Heads to do their annual report.

Mr. Zaharieff; Well looking at the format, what I want to be able to present is the format to the Board, or to the Department Heads so that everybody's looks the same and that each format is the same.

Ms. Graff: I believe the Fire Chief is in the process of putting one together, similar to what he did a couple of years ago.

Mr. Paxson: Here we are already it's May.

Mr. Zaharieff: Right, I don't disagree, that was something we looked into, but one of the things the Board asked me to do was prioritize some things, obviously the annexation.

Mr. Paxson: Our Board had a discussion?

Mr. Zaharieff: Yes.

Mr. Paxson: And I asked you not to do the annual reports?

Mr. Zaharieff: No, I was told to make a priority of certain things by the Board of Township Trustees.

Ms. Graff: Annexation came first, because we were working with the City of Beavercreek's annexation.

Mr. Paxson: Was that done in a meeting?

Mr. Zaharieff: Yes.

Ms. Graff: Yes.

Mr. Paxson: May I see the minutes won that then.

Ms. Graff: It was in Executive Session.

Mr. Zaharieff: It was when we met in a special meeting with Mr. Phillips.

Mr. Paxson; I do not recall that Alex, but annual reports are pretty important.

Ms. Graff: So is annexing us.

Mr. Paxson: All he had to do was to direct the Department Heads. The annual report reflects how the taxpayer's money is being spent on an annual basis.

Ms. Graff: So does the Financial Report. The Financial Report of the Township indicates the same thing.

Mr. Paxson: This is the Fairborn Courts Annual Report, I brought it for you if you want to look at it go give you an idea.

Mrs. Prystaloski: We all got one.

Mr. Paxson: Alright.

Ms. Graff: So annual reports, I believe the Township Administrator is putting one together as he has indicated a format that all the Department heads will follow to turn in the report for each year.

Mr. Paxson: Okay, so when can we expect to have that report?

Mr. Zaharieff: Well I don't know about a report. If you want to make this a priority too, by all means, instruct me to get this in by a certain date and I will get it done.

Ms. Graff: What is it you have on your list now?

Mr. Zaharieff: I have the annexation and everything associated with the annexation that was instructed to me to complete. Zoning administrator duties that I have been taking on. If the Boards direction is to get this done, then it will be done.

Mrs. Prystaloski: And the Dispatch?

Mr. Zaharieff: The Dispatch was the last meeting.

Mr. Paxson: Now wait a minute, all he has to do is direct the Department Heads to do it.

Ms. Graff: Correct, he is coming up with a format and he mentioned that at the meeting and we discussed it that he wanted to put together a format.

Mr. Paxson: Okay, if he is having a hard time with the format, then he can delegate that down to a Department Head who has run a report before, and this year just get a report out, then fine tune it later.

Ms. Graff: Can we modify this and say for next year, you will have a format that everyone will follow, but for this year, could you require the Department Heads to come up with their own annual reports for 2012 to submit to the Board. Would that be acceptable Mr. Paxson?

Mr. Paxson: You can go online and see hundreds of annual reports.

Ms. Graff: But is it acceptable that we just get a report for each Department Head? It may not be in similar format, you just want to know what they did.

Mr. Paxson: We have not had one since 2008.

Ms. Graff: Well we only got one, and that was from Fire, but you are saying now you want it for each department, an annual report from last year? They can do their own individual reports. We are asking Mr. Zaharieff for this, but next year you will come up with a format for the Department Heads to follow for the 2013 annual reports? Is that a compromise you can deal with Mr. Paxson?

Mr. Paxson: Yes.

Mrs. Prystaloski: Alright, next.

Ms. Graff: County Dispatch.

Mr. Paxson: I was just reading some of the last meeting on the County Dispatch where Mr. Koogler was here.

Ms. Graff: Right, and then we got a letter.

Mr. Paxson: I just have a concern for the Township on this agreement. Who is working on drafting the agreement with them? Would that be you Dawn?
There was a motion to authorize the Township legal counsel to begin drafting an agreement between the Township and the County?

Ms. Graff: That's right.

Mr. Zaharieff: That would be Ms. Frick and I once the committee, the Greene County committee, which we are now a member of because of the vote the Board made at the last meeting, we are now a member of that committee, the Greene County committee.

Mrs. Prystaloski: So we know what is going on.

Mr. Zaharieff: We have not been involved in any of the discussions in the county wide dispatch center project because we are not one of the dispatch centers, because we have a contract with the City of Beavercreek. If the committee recommends moving forward to the County Commissioners and Station 61 is a viable option for space, then Ms. Frick and I will begin drafting an agreement that will be approved by the Board of Trustees in regard to the lease of that space.

Mr. Paxson: Well this is a motion that we are allowing them to begin looking at the space and design and as long as they pay for the all the designing.

Mr. Zaharieff: Yes they are 100% responsible for designing. And if they lease the space, they will be responsible for that space, redesigning that space, and much like we do with the other contracts, we have with other agencies that lease space from us, there would be some sort of agreement in there on their portion of electrical use and everything else.

Mr. Paxson: This does not sit well with me where it says "I further move to authorize the Township counsel to begin drafting an agreement between the Township and Greene County for a long term lease of any areas to be designated as central dispatch." Any areas, I thought it was just the basement only.

Mr. Zaharieff: I think what it means is any areas to that basement. We have looked at different configurations with the committee. Now I have only attended one meeting since the Board meeting. There is a meeting currently taking place right now that the Fire Chief is at. That was an impromptu meeting based on what I sent you over the weekend, the information that I have received. The next meeting that the committee will meet to discuss whether they are going to move

forward or not with the one center concept or the two center concept is going to be May 7th followed by a stake holders meeting if it goes that far on May 15th. The stake holders meeting would be invitations to all elected officials that have some sort of interest or that would be a part of the County wide dispatch, so pretty much any fire or police agency. Any of those elected officials would be invited to that meeting. I don't have a time for that meeting yet. Hopefully the committee's going to talk about it either today or on May 7. But there is some discussion whether there is going to be on a county level a two center project, or a single site location, quite frankly, the committee is kind of mixed on both, whether it's a single site location or a two site location. What that motion, I think was passed, just gives us the authority to start drafting this if it gets to that level. So, we will be bringing it to you for your approval. We already have the authority to move on with this project.

Mr. Paxson: Okay, because it is interesting. Mr. Koogler is pretty much dead set on a single dispatch center. The county commissioners, according to my meeting with him, Mr. Anderson is not in favor of that. He is in favor of the dual system. There is a split in the county commissioners as to what they want.

Mr. Zaharieff: Mr. Koogler, at the work session on I forget when, last week, whenever I sent the e-mail to the Board updating them on what happened at the work session. Mr. Koogler did mention that he would support a two center site, although he thinks it is a waste of taxpayer money to invest in two sites as opposed to investing in one single site location. Some of that, not to let the cat out of the bag, some of the discussions that were taking place, we only went to one meeting, because with that authority that put us there on that committee. One of the discussions is, if we go to a single site location, who is our backup center? Well, there were discussions in working with Montgomery County. Montgomery County is more than willing to be our backup center as long as we are their backup center. Now, Montgomery County does have a backup facility that all they need to do is walk in and turn the switches on. I have not been there, but I understand it is pretty nice and that is a true backup to their backup. The discussion that is taking place between Montgomery County and Greene County in regards to the dispatch that we are all migrating to the MARCS system, is that Montgomery County can work as a backup center to Greene count and vice versa on a single site location. There are a lot of options that are still out there, a lot of discussions that still need to take place. Obviously, that motion that was passed at the last Trustees meeting definitely gets us a seat at the table as part of this discussion too. Because of the move that the Board of Trustees made we are now a voting member if a county wide dispatch system is set up. The Township Trustees will have a representative on there. The Beavercreek Township Trustees will have a representative whether it is a Trustee or a Department Head or the Township Administrator that is up to the Board. We will be a voting member on how that center operates.

Mrs. Prystaloski: This was pretty much a fact finding resolution.

Ms. Graff: And it also, we got the information back from out legal counsel that yes we can lease that space out.

Mr. Paxson: That was the question I had.

Ms. Graff: That I believe you sent out today, I read it; but, yes we are legally allowed to lease out portions of facilities of which we don't have a use for, an immediate use or important use. I had some questions on the wording, but at least we know we can lease out a facility if we choose.

Mr. Paxson: Okay

Mr. Zaharieff: Even if the committee says we are going to put it in the basement of station 61, the Township Trustees, it is up to you whether to do it or not. That motion does not tie your hands to anything other than giving the legal advisor and myself the ability to, if there are discussions to me a presentation to the Board. We can have something prepared ready to go for the Board of Township Trustees either to say yes this is something we want to do, or no we don't want to do this.

Mr. Paxson: It appears to be an attractive location, from everything I gather, so all I am saying here and I know we are in the beginning phases is this agreement. We just spend million dollars plus on equipment, radios, and we have the towers. We have a lot of equipment that would enhance that dispatch center or begin it or help the foundation of it. I think it is in our best interest to audit our communications program to see what we have, and what our equipment is capable of doing over there, so when we enter into an agreement, we have wrapped up this agreement that all this is included in this agreement. We just bought two consoles, one will be going into dispatch, and the other will be going as a backup. The consoles that we bought are able to go to the new center. This is why this is such a hot topic, because our two consoles, obviously in the grand scheme of things compared to the dispatch centers what they have to spend on their consoles. Obviously, by contract we have to provide the console to the City of Beavercreek. They dispatch for us, we have to provide that so that is our console. The Board decided in December to go with the two console concept, and we always have a backup. The ones that we purchased that are not in yet, the one that we purchased are mobile. It is one thing that we wanted to make sure, because if there were down the road some sort of merger, the consoles could be put in any room to be used whether in a disaster, we can bring it here into this room, and they are MARCS approved.

Mr. Zaharieff: They are P-25 compliant. They are not MARCS approved, they are P-25 compliant. They have to be P-25 compliant. In the other Cities and Sugarcreek Township, they have not made those purchases yet, because they want to see how many they need to buy for the new center. So, we nay only need to buy, and we don't know for sure yet, let's say 12 as opposed to Beavercreek buying the City five, plus our two. Fairborn buying 5,6, or 7; Xenia City buying 6; Sugarcreek buying 4 or 5; Bellbrook buying 2. So, the discussion is, now with this dispatch center can we consolidate that cost savings into doing a single site location. That was the concern with the double site location was whether or not there will be somewhat of a cost savings at eh double site location.

Mr. Paxson: They will still probably use station 61 for the double site?

Mr. Zaharieff: I would venture a guess that the committee would because Beavercreek is going to have to do serious modification.

Mr. Paxson: So will we get credit for them, what gets used in the dispatch center?

Mr. Zaharieff: The only equipment that we used in that dispatch center, all the equipment that we bring in will be owned by Greene County or whatever the this new committee is called.

Ms. Graff: The consortium.

Mr. Zaharieff: Yeah, whatever it may be. We are not providing any infrastructure to that project. They will be bringing their own rack system in, their own servers in clearly marked "Greene County" and the rest of that room, if we did use the server room the rest of that room would say "Beavercreek Township".

Mr. Paxson: See, I was under the understanding it would be something different than that.

Mr. Zaharieff: No, the only thing they want access to which we would build into an agreement, Ms. Frick and I would work together on to put together is the fiber. That is what makes the site so attractive, is that we have the fiber ready to go. So, we have fiber at this location. This is why everybody's looking at it going "well, everything's here". One, space with room to expand and two the fiber is already there. Fiber costs a lot, s the Board may know when we put fiber down to the other buildings. It costs a lot of money to put in, then of course to maintain. So, that is what is the attractive part to this. There is already a link on this tower between Greene County's new world system from Xenia Green Central stops here at this location and then goes to the City of Beavercreek. That link is already there. The only thing that would stop that link is location. So, if everything moved to, let's say here, that link would still be sent from Greene County to here. It just wouldn't be sent up to the City of Beavercreek dispatch center. It would come through fiber lines. That is what we need to look into and research. What is the percentage of that use of those fiber lines? Now, what we did with the other contracts that the Board approved is based on square footage, and I am not talking about fiber, I am talking about electrical use and heating and air conditioning, that kind of stuff.

So those are the types of things we would look at and any modifications to the building, and clearly in that motion is on whatever this committee, if the County runs it, or the Sheriff rinds it or this independent Board runs it, it will be their responsibility. We would just lease them the space to put it in.

Ms. Graff: Did that clarify that?

Mr. Zaharieff: There is more to come, more information.

Ms. Graff: This is just preliminary.

Mr. Zaharieff: We are just now having a seat to the table. One thing that I am trying to do is get caught up, and I have had meetings with Major Eric Spicer, Dennis Evers from Beavercreek Police, and Roseanne Anders from the EMA. Who else have I had meetings with? And so on. Just to get caught up on what the discussions were and they have had meetings every Tuesday since January.

Mr. Paxson: I know it is in the beginning phased, but if we have our interest in the forefront going into it, then our interest will be met with the rental fees, water, sewage, wear and tear on the equipment, all that stuff gets built into this agreement.

Mr. Zaharieff: Absolutely, any cost would be built into that lease agreement on the use of that facility.

Ms. Graff: Your last one is handbook.

Mr. Paxson: I just wanted to know where we were at with the update on the handbook?

Mr. Zaharieff: We are indentifying, and I am still going through the list of things that need to be updated, and we have already made the one modification that the Board approved.

I would like to have a work session with the Board, which will be another meeting to go through the changes we have identified.

Mr. Paxson: Can we get a list of those things that are still out there?

Mr. Zaharieff: Yeah, I will put the list together of all the issues we still have with the handbook.

Mr. Paxson: That is just one of those things that is still hanging out there and needs to be addressed.

Mr. Zaharieff: I understand.

Ms. Graff: Okay, so you do not want to set a meeting for that just yet?

Mr. Zaharieff: No, not yet, let's get passed some of the things we have identified need to be done first.

Mrs. Prystaloski: I will be gone the week of the 12th – 18th and the 13th is a meeting day.

Ms. Graff: Yes, we have a meeting on the 13th, so you will miss the meeting on the 13th?

Mrs. Prystaloski: Yes, I will be gone that week. I have a funeral that is taking place that week.

Ms. Graff: But you will be back for the meeting on the 28th?

Mrs. Prystaloski: Yes.

2013-131 Mrs. Prystaloski made a motion to adjourn the meeting at 4:04 P.M. Mr. Paxson seconded.
Roll Call: Mrs. Prystaloski, yes; Mr. Paxson, yes; Ms. Graff, yes.

Trustee: _____

Fiscal Officer: _____