Regular Beavercreek Trustee's Meeting

Tuesday, May 27, 2014

Mr. Kretz called the Regular Trustee Meeting to order at 1:01 P.M. Those present were Trustees: Dan Paxson, and Tom Kretz. Fiscal Officer, Christy Ahrens and Legal Advisor Dawn Frick 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 Ed Amrhein, and HR Manager Trish Gustafson.

2014-199 Mr. Paxson made a motion to approve the Agenda for May 27, 2014. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-200 Mr. Paxson made a motion to approve the May 29, 2014 Payroll in the amount of $262,304.56. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-201 Mr. Paxson made a motion to approve the Bills in the amount of $297,353.71. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-202 Mr. Paxson made a motion to approve the Regular Meeting Minutes of May 12, 2014. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-203 Mr. Paxson made a motion to approve the Special Meeting Minutes of May 19, 2014. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

RESIDENTS/GUESTS DESIRING TO SPEAK: None.
OLD BUSINESS: None.
NEW BUSINESS: None.

ADMINISTRATOR:

Little Miami River Resolution:

2014-204 Mr. Paxson made a motion to approve **Resolution 2014-204 Whereas,** the Little Miami River runs through Beavercreek Township; and **Whereas,** the Little Miami River provides economic, environmental and social benefits to the community; and **Whereas,** the Little Miami River was the first river designated in the scenic river program in the nation; and **Whereas,** 97% of the Little Miami River now meets Exceptional Warm water habitat criteria, the highest rating, and is home to over 87 species of fish, 37 species of freshwater mussels (the most at-risk group of animals in Ohio), including five (5) endangered species, and many other varieties of turtles, frogs, water snakes, birds, mammals and invertebrates; and **Whereas,** the Little Miami River watershed drains 1,757 square miles in southwest Ohio where countless people depend on it for their water and recreational needs; and **Whereas,** what we do to impact nature comes back to impact us; and **Whereas,** we are mindful of our obligation to pass on the best world we can to our children and their children; **Now, Therefore, be it resolved** that the Board of Trustees of Beavercreek Township will work to protect the Little Miami River and its tributaries by providing as framework of best practices to maintain and sustain the current quality of its water and habitat; that this will be done by mitigating the amount of storm water runoff, which increases in proportion as the developed fraction of watershed increases; that the Trustees will work to educate citizens about the value of the Little Miami River; that streams and wetlands in the watershed that are tributary to the Little Miami River will be identified and labeled; and that storm sewer drains that have been added to the

watershed as human-engineered tributaries to the Little Miami River also will be labeled.

Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Farm Agreement:

Mr. Zaharieff asked the Board of Trustees to approve the agreement between Beavercreek Township and Mr. John Shawhan to grow crops on approximately sixty-four (64) acres of property which is owned by Beavercreek Township, but not currently being utilized for any specific Township purpose. Fiscal Officer Christy Ahrens asked the Board of Trustees to postpone action on this agreement until she had an opportunity to review what impact this had on the Fiscal Office and what responsibilities; if any, she and her office would have in the property tax implications within in this agreement. She went on to state that this is the first time she had seen the agreement and she understood from Mr. Zaharieff that he and Ms. Frick met with the Greene County Auditor regarding this agreement and the property tax implications. She asked that whenever Mr. Zaharieff or Ms. Frick will be having discussions of a financial manner with anyone, especially the Greene County Auditor, that they please include the Fiscal Office. They both agreed. General discussion occurred regarding this agreement and who was ultimately responsible for paying the property taxes once the exemption is lost due to the fact that the land will be farmed. After several questions were asked and answered, Mr. Paxson asked Ms. Ahrens if she was comfortable moving forward with the agreement. Ms. Ahrens felt comfortable after hearing the discussion in moving forward with the agreement and the proposed changes as presented by Ms. Frick.

2014-205 Mr. Paxson made a motion to approve the agreement between Beavercreek Township and Mr. John Shawhan to grow crops on approximately sixty-four (64) acres of property located at 1940 Indian Ripple Road, which is currently not being utilized by Beavercreek Township for any specific Township purpose incorporating the discussed changes to the agreement as presented by Ms. Frick and authorize the Township Administrator to sign the agreement on behalf of the Board of Trustees. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Legal Agreement:

2014-206 Mr. Paxson made a motion to renew the contract with Dunlevey, Mahan & Furry, L.P.A. for Workers Compensation matters, per the terms presented on the renewal contract for 2014, and authorize the Township Administrator to sign on behalf of the Board of Trustees. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Tower Agreement:

Mr. Zaharieff presented an agreement for use of tower equipment for public safety communications equipment between Sugarcreek Township and Beavercreek Township; however, the Board of Trustees had several questions regarding contractors doing work on a tower owned by Beavercreek Township. The Fire Chief explained that no one should be doing work on the tower except employees of Beavercreek Township. Because of that change in the agreement, Ms. Frick will re-work the agreement and bring it back before the Board of Trustees at their next regularly scheduled meeting.

HUMAN RESOURCES:

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Bi-Weekly Report:
HR Manager Trish Gustafson stated that she is still very busy with negotiations with the Union and asked the Board if they had anything specific to ask regarding the Bi-Weekly report she submitted to the Board of Trustees for the HR Department, the Trustees had no questions.

ZONING:
Appointment to the Zoning Commission:

2014-207 Mr. Paxson made a motion to approve **Resolution 2014-207**
WHEREAS, Ohio Revised Code §519.04 permits the Board of Township Trustees to create a Zoning Commission for Beavercreek Township; and

WHEREAS, the Beavercreek Township Trustees having considered available applicants for said Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED THAT, after due consideration of all the evidence presented, the Beavercreek Township Board of Trustees voted to appoint Ann Stalter to fill the unexpired term of Dr. Jerry Flexman as a full board member of the Beavercreek Township Zoning Commission, said term to expire on **March 31, 2017** or until a suitable replacement is appointed.

Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Approve Letter of Support to ODOT for U.S. Rt. 35 Improvement Project Funding:

Mr. Kretz explained that the business owners along that corridor of U.S. Rt. 35 met earlier in the day with representatives from ODOT regarding the project, and some significant changes were agreed upon amongst all parties involved and until there is a new plan incorporating those significant changes, he would prefer to wait on any approval letter of support for this project. Mr. Paxson agreed with Mr. Kretz and the Board will wait until they see if the changes are implemented. Mr. Kretz also indicated that this meeting started out contentious, but ended very positively.

Bi-Weekly Report:
Zoning Administrator/Inspector Ed Amrhein highlighted some items in his Bi-Weekly Report, submitted to the Trustees, including a draft version of the Beavercreek Township Employee Recognition Program. A special meeting will be scheduled on June 9, 2014 at 12:00 PM to discuss the program. Questions were asked, answered and general discussion occurred.

INFORMATION TECHNOLOGY:

Renew/Sign Independent Contractor IT Contract:

2014-208 Mr. Paxson made a motion to hire James Ericson as an independent contractor offering IT support at a rate of $32.00 per hour, not to exceed (16) weeks or 320 total hours effective June 1, 2014, and authorize the Township Administrator to sign the agreement on behalf of the Board of Trustees. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Bi-Weekly Report:

IT Manager Jeff Terry asked the Board if they had any questions regarding the Bi-Weekly report he submitted to the Board of Trustees for the IT Department, the Trustees had no questions.

ROAD:
Levy Resolutions:

2014-209 Mr. Paxson made a motion to approve **Resolution 2014-209**
WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, have determined that it is necessary to levy a tax outside the ten mill limitation for the general construction, reconstruction, resurfacing and repair of street, roads, and bridges as authorized by Section 5705.19(I) of the Ohio Revised Code; and,

WHEREAS, The Board of Trustees of Beavercreek Township proposes that said tax be a renewal of a .5 existing levy with an additional increase of .4 mills for a total of .9 mills as authorized by section 5705.192 of the Ohio Revised Code; and

WHEREAS, Section 5705.03(B) requires the Township to certify to the County Auditor a resolution requesting the County Auditor certify to the Township the total current tax valuation of the unincorporated area of Beavercreek Township and the number of mills required to generate a specified amount of revenue or the total dollar amount of revenue that would be generated by a specified amount.

NOW THEREFORE BE IT RESOLVED THAT, the Board of Trustees of Beavercreek Township, Greene County, that in accordance with section 5705.03(B) of the Ohio Revised Code, the Board of Trustees hereby request the Auditor of Green County, Ohio to certify the total current tax valuation of the unincorporated area of Beavercreek Township and the dollar amount of revenue that will be generated by .9mills.

It is found and determined that all formal action of the Beavercreek Township Board of Trustees concerning and relating to the adoption of this resolution were adopted in open meetings of the Beavercreek Township Board Trustees; and that all deliberations of the formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-210 Mr. Paxson made a motion to approve **Resolution 2014-210**
WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, have determined that it is necessary to levy a tax outside the ten mill limitation for the general construction, reconstruction, resurfacing and repair of street, roads, and bridges as authorized by Section 5705.19(I) of the Ohio Revised Code; and,

WHEREAS, The Board of Trustees of Beavercreek Township proposes that said tax be a renewal of a .5 existing levy with an additional increase of .3 mills for a total of .8 mills as authorized by section 5705.192 of the Ohio Revised Code; and

WHEREAS, Section 5705.03(B) requires the Township to certify to the County Auditor a resolution requesting the County Auditor certify to the Township the total current tax valuation of the unincorporated area of Beavercreek Township and the number of mills required to generate a specified amount of revenue or the total dollar amount of revenue that would be generated by a specified amount.

NOW THEREFORE BE IT RESOLVED THAT, the Board of Trustees of Beavercreek Township, Greene County, that in accordance with section

5705.03(B) of the Ohio Revised Code, the Board of Trustees hereby request the Auditor of Green County, Ohio to certify the total current tax valuation of the unincorporated area of Beavercreek Township and the dollar amount of revenue that will be generated by .8 mills.

It is found and determined that all formal action of the Beavercreek Township Board of Trustees concerning and relating to the adoption of this resolution were adopted in open meetings of the Beavercreek Township Board Trustees; and that all deliberations of the formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Bi-Weekly Report:
Road Superintendent Tim Parks highlighted some items from his Bi-Weekly Report submitted to the Trustees. Questions were asked, answered and general discussion occurred.

FIRE:
Re-Appropriation for Natural Gas:
2014-211 Mr. Kretz made a motion to approve **Resolution 2014-211**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, moved for approval of the following:

WHEREAS, to re-appropriate from Account 2192-930-930-5999 Contingencies, in the total amount of $6,500.00 to the following Accounts:

2192-220-353-5560 – Natural Gas – Fire Administration Building - $500.00
2192-220-353-5561 – Natural Gas – Fire Station 61 - $1,000.00
2192-220-353-5562 – Natural Gas – Fire Station 62 - $1,500.00
2192-220-353-5563 – Natural Gas – Fire Station 63 - $2,500.00
2192-220-353-5564 – Natural Gas – Fire Station 64 - $1,000.00

NOW THEREFORE BE IT RESOLVED THAT, the Board of Trustees of Beavercreek Township, Greene County, Ohio favorably passed the above Resolution.

Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Resolution – Acceptance of donation of Construction Materials:

Fire Chief David VandenBos asked the Board to approve a resolution accepting a donation of construction materials valued at $300.00 from Lowes of Beavercreek for the construction of training aids. Mr. Barone explained that this resolution was not forwarded to the Fiscal Office for inclusion at today's meeting; therefore, this will be added under old business at the next regularly scheduled meeting of the Board of Trustees. Chief VandenBos apologized for the confusion.

Bi-Weekly Report:
Fire Chief David VandenBos highlighted some items in his Bi-Weekly Report, submitted to the Board of Trustees. Questions were asked, answered and general discussion occurred.

TRUSTEE:

Mr. Kretz had a few items that he wished to discuss. First, he asked Mr. Zaharieff to open a line of communication with the City of Beavercreek manager Mr. Mike

Cornell regarding community wide events such as Memorial Day or the 911 event that the City of Beavercreek is going to host, in the spirit of the joint meeting that was recently, held that we somehow collaborate with each other when an event is scheduled so that when it is appropriate the community can come together and have elected officials or department heads from both jurisdictions in attendance.

Secondly, Mr. Kretz would suggest that Beavercreek Township begin each of their meetings with the pledge of allegiance and a moment of silence for fallen soldiers and fallen first responders. Mr. Paxson does not see a problem with either of those requests, but feels that Ms. Graff should be involved in that decision and would ask that these items wait until she returns.

The third item Mr. Kretz had was to have a discussion regarding gaining a better understanding of the internal cost structure within Beavercreek Township. He would encourage the Township to start with the Road Department as a test study and that we hire a cost accountant either within the performance audit or separate from the performance audit and that we do that pretty quickly to determine what our internal rate structure is and get a better understanding of what our internal costs are. He also stated that it was not meant to go to internal billing between departments. Mr. Paxson stated that it has been a concern of his as well and feels that we should get to the bare bones of what our service is and what it is we are providing and how much does that cost to provide that service.

Mr. Barone expressed some concerns with adding the cost of hiring a cost accountant to the budget, as this as well as a performance audit was not something that was budgeted for when the budgets were completed last year, and if the general fund will be paying for those studies then provisions will need to be made for that to happen. Ms. Ahrens added that there is money to be spent on these items, but money would have to be re-appropriated thus reducing the carry forward into next year.

Mr. Zaharieff would recommend that this project be added to the proposal on the performance audit so that the Board could have a clear itemized budget on what each piece will cost.

FISCAL OFFICER:
Ms. Ahrens thanked Mr. Kretz and stated she had nothing further to add today.

2014-212 Mr. Paxson made a motion to go into Executive Session per ORC 121.22(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and ORC121.22 (G)(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment; at 2:27 P.M. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-213 Mr. Paxson made a motion to come out of Executive Session at 3:47 P.M. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

2014-214 Mr. Paxson made a motion to Adjourn at 3:48 P.M. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; and Mr. Kretz, yes.

Trustee: _____

Fiscal Officer: _____