Special Beavercreek Trustee's Meeting

Monday, February 24, 2014

Ms. Graff called the Special Trustee Meeting to order at 2:00 P.M. Those present were Trustees: Carol Graff, Dan Paxson, and Tom Kretz. Fiscal Officer, Christy Ahrens and Legal Advisors Jeff Mullins and Doug Anspach were also present. Staff present: Township Administrator Alex Zaharieff, Fire Chief David VandenBos, and HR Manager Trish Gustafson.

The Purpose of this Special Meeting is to meet in Open Session to discuss various legal agreements currently in place between Beavercreek Township and several specialized legal firms and also to meet in Executive Session pursuant to ORC 121.22 (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.

2014-084 Mr. Kretz made a motion to go into Executive Session per ORC 121.22(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 2:01 P.M. Mr. Paxson seconded. Roll Call: Mr. Kretz, yes; Mr. Paxson, yes; and Ms. Graff, yes.

2014-085 Mr. Paxson made a motion to come out of Executive Session at 3:47 P.M. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Discussion on various legal agreements currently in place between Beavercreek Township and several specialized legal firms occurred.

Mr. Paxson spoke to the Trustees regarding the email he sent them requesting that the Trustees go out for Requests for Proposal (RFP) for certain township legal agreements. He thinks it would be a good idea to see what else is available and compare costs.

General discussion occurred regarding: getting information in a timely manner; the question of going out for an RFP for a best and most economic rate or because there is a question about service; uniform agreements; and the various departments and boards that use township attorneys.

Mr. Kretz stated that he had no problem going out for bids for economic reasons but was reluctant to disrupt the representation if there is quality in the services we are receiving.

Discussion occurred regarding: the handbook; legal fees; union contract legalities; and change. Mr. Paxson stated that he is not satisfied with things staying the same and would like to investigate a change. Fiscal Officer Christy Ahrens stated that since becoming Fiscal Officer in January 2006, the township has not gone out for bids for general counsel attorneys. Ms. Graff added that the Trustees had gone out for RFP's for attorneys and interviewed applicants before hiring the present firm. Mr. Kretz stated that in the future, the Township should seek specialized counsel for situations like the handbook, as we do for situations like the union contract. Discussion occurred regarding: concerns with familiarity of personnel and legal representatives and attorneys and legal costs.

The Trustees agreed with Mr. Kretz's suggestion to go out to other jurisdictions and find out who their attorneys are, their agreements and what they are paying those attorneys; as well as for Beavercreek Township going out for an RFP to see what costs would be associated to perform work for our township. General discussion occurred.

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The Township Administrator will ask for a sixty (60) day, current rate extension on our current legal agreements with Surdyk, Dowd, and Turner; Taft, Stettinius & Hollister; and Dunlevey, Mahan & Furry. Mr. Zaharieff will place the request for the Board to approve going out for RFP's for legal services on the March 17, 2014 Regular Trustee Meeting Agenda.

2014-086 Mr. Kretz made a motion to approve **Resolution 2014-086**, WHEREAS, The Board of Trustees of Beavercreek Township, Greene County, Ohio, deems it advisable to employ legal counsel to advise and represent the Township on legal matters including those relating to annexations of Township territory; Now, therefore, be it RESOLVED by the Board of Trustees of Beavercreek Township, Greene County that: Wanda L. Carter and the firm of Newhouse, Prophater, Letcher & Moots, LLC be retained as Legal Counsel and that representation will be paid for as follows: $220.00 per hour senior attorney time, $175.00 per hour associate attorney time, and $75.00 per hour law clerk or legal assistant time. Rate is fixed for six months but subject to increase thereafter, with a maximum increase of six (6) percent every six months; time spent on travel and telephone calls is considered billable time. Mr. Paxson seconded. Roll Call: Mr. Kretz, yes; Mr. Paxson, yes; and Ms. Graff, yes.

2014-087 Mr. Paxson made a motion to Adjourn at 4:27 P.M. Mr. Kretz seconded. Roll Call: Mr. Paxson, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Trustee: _____

Fiscal Officer: _____