Regular Beavercreek Trustee's Meeting

Monday, February 16, 2015

Mr. Kretz called the Regular Trustee Meeting to order at 1:03 P.M. Those present were Trustees: Tom Kretz, Dan Paxson, and Carol Graff. 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, and HR Manager Trish Gustafson.

2015-061 Ms. Graff made a motion to approve the Agenda for February 16, 2015, with the following addition: Add purchase request for bulldozer rental under Road. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

2015-062 Ms. Graff made a motion to approve the February 19, 2015 Payroll in the amount of $262,439.44. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, no.

2015-063 Mr. Paxson made a motion to approve the Bills in the amount of $160,117.04. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

2015-064 Mr. Paxson made a motion to approve the Special Trustee Meeting Minutes from January 12, 2015. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

2015-065 Ms. Graff made a motion to approve the Regular Trustee Meeting Minutes from February 2, 2015. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

PRE-SCHEDULED SPEAKER: Eager Beaver Football Club
Jason Edwards, 1612 Arrowwood Drive, Beavercreek, Ohio spoke to the Trustees regarding creating a football complex on Township owned land. Mr. Edwards gave a presentation regarding the club's history, present, and future as well as their current facilities, future facilities, proposed plans and phases and fundraising and sponsorship. Questions were asked, answered and general discussion occurred.
2015-066 Ms. Graff made a motion to permit Eager Beaver Football Club to move forward with surveying of township owned property on Indian Ripple Road to see if it is viable for the Eager Beaver Football project. Mr. Paxson seconded. General discussion occurred. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

RESIDENTS/GUESTS DESIRING TO SPEAK: None.
OLD BUSINESS: None.
NEW BUSINESS: None.
ADMINISTRATOR:
Farm Agreement:
2015-067 Ms. Graff made a motion to approve **Resolution 2015-067**, an Agreement by and between the Board of Trustees of Beavercreek, Ohio and John Shawhan, as presented, with the following modifications: third paragraph, page 1: "Whereas, the Tenant desires to grow crops on up to sixty-four (64) acres" and #5 change $7,100.00 to: up to $7,100.00; and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

CAUV Application:
2015-068 Ms. Graff made a motion to approve Resolution 2015-068, the Current Agricultural Use Valuation Renewal Application; and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

PSISN Agreement:
Township Administrator Alex Zaharieff updated the Trustees on the program and went over the changes in the Agreement from 2008 to the current one being proposed. Questions were asked, answered and general discussion occurred. The TA asked the Trustees to review the Agreement in their Trustee Packet and any further questions to the TA and/or legal counsel.

Legal Agreements:
2015-069 Ms. Graff made a motion to approve **Resolution 2015-069,** WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, Ohio desires to employ the law firm of Newhouse, Prophater, Kolman & Hogan, LLC, 5025 Arlington Centre Boulevard, Suite 400, Columbus, Ohio 43220 to provide such legal services;
Mr. Paxson seconded.
Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.
NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beavercreek Township hereby employs Wanda L. Carter of the law firm of Newhouse, Prophater, Kolman & Hogan, LLC to represent the Township and its officers, boards, and commissions in their official capacity and to advise them on legal matters, including those relating to annexations of Township territory. Said firm shall be paid at the rate of $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 6% every six months. Time spent on travel and telephone calls is considered billable time. Court costs and expenses will be paid by the Township. Fees will be paid monthly upon receipt of the bill; and authorizes the Township Administrator to sign for the Board.
2015-070 Ms. Graff made a motion to approve **Resolution 2015-070**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, Ohio desires to employ the law firm of Taft, Stettinius & Hollister LLP, 40 N. Main St., Suite 1700, Dayton, Ohio 45423-1029 to provide such legal services;
Mr. Paxson seconded. General discussion occurred.
Roll Call: Ms. Graff, yes; Mr. Paxson, no; and Mr. Kretz, yes.
NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beavercreek Township hereby employs the law firm of Taft, Stettinius & Hollister LLP to represent the Township and its officers, boards, and commissions in their official capacity and to advise them on legal matters. Said legal services shall primarily pertain to the representation of the Township's interests in regard to negotiation of collective bargaining agreements and personnel matters. Said firm shall be paid at the rate of $250.00 per hour for attorneys authorized to provide such services and $120.00 per hour for paralegals authorized to perform such services. In addition, Taft, Stettinius & Hollister LLP shall be reimbursed for any and all out-of-pocket expenses which it may incur in providing said legal services; and authorizes the Township Administrator to sign for the Board.
2015-071 Mr. Paxson made a motion to approve **Resolution 2015-071**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, Ohio desires to employ the law firm of Dunlevey, Mahan & Furry, L.P.A., 110 N. Main St., Suite 1000, Dayton, Ohio 45402 to provide such legal services;
Ms. Graff seconded.
Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.
NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beavercreek Township hereby employs the law firm of Dunlevey, Mahan & Furry,

L.P.A. to represent the Township and its officers, boards, and commissions in their official capacity and to advise them on legal matters. Said legal services shall primarily pertain to the representation of the Township's interests in regard to workers' compensation matters. Gary W. Auman will be the primary attorney responsible for providing services to the Township and shall be paid at the rate of $275.00 per hour. In addition, Dunlevey, Mahan & Furry, L.P.A. shall be reimbursed for any and all out-of-pocket expenses which it may incur in providing said legal services; and authorizes the Township Administrator to sign for the Board.
2015-072 Ms. Graff made a motion to approve **Resolution 2015-072**,
WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, Ohio desires to employ the law firm of Surdyk, Dowd & Turner Co., L.P.A., 8163 Old Yankee St., Suite C, Dayton, Ohio 45458 to provide such legal services;
Mr. Paxson seconded.
Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.
NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beavercreek Township hereby employs the law firm of Surdyk, Dowd & Turner Co., L.P.A. to represent the Township and its officers, boards, and commissions in their official capacity and to advise them on legal matters. Said firm shall be paid at the rate of $190.00 per hour for services rendered by shareholders, $180.00 per hour for other attorneys and $85.00 per hour for services rendered by paralegals. In addition, Surdyk, Dowd & Turner Co., L.P.A. shall be reimbursed for any and all out-of-pocket expenses which it may incur in providing said legal services; and authorizes the Township Administrator to sign for the Board.

Greene County Sheriff's Office Agreement:
The TA presented and updated the Trustees regarding the annual Sheriff's Agreement. General discussion occurred.
2015-073 Ms. Graff made a motion to approve **Resolution 2015-073**, the Law Enforcement & Patrol Services Agreement, ending December 25, 2015 and with the reimbursement amount not exceeding $311,451.25, as presented. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

Mutual of Omaha Group Life Renewal:
2015-073 Mr. Paxson made a motion to approve the Renewal option with Mutual of Omaha for Group Life and AD&D, for a zero (0) percent increase. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

Greene County Sheriff's Office Report:
The TA gave a brief update from the Sheriff's Office Report. General discussion occurred.

Hunting Program Update:
The TA stated that ODNR is looking into whether it would be possible for the Trustees to allow coyote hunting on township property.

There was a five minute break.

HUMAN RESOURCES:
Mr. Zaharieff presented items for the Human Resource Department.
Bi-Weekly Report:
Mr. Zaharieff highlighted items from the HR departments Bi-Weekly Report submitted to the Board of Trustees including: Worker's Comp claim, Job Description and Wellness Program. General discussion occurred.

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ZONING:
Mr. Zaharieff presented items for the Zoning Department.
Bi-Weekly Report:
Mr. Zaharieff highlighted items from the Bi-Weekly Report submitted to the Trustees including: waiting for an updated application for Indian Reserve and reviewing zoning fees. Questions were asked, answered and general discussion occurred.

INFORMATION TECHNOLOGY:
Mr. Zaharieff presented items for Information Technology.
Bi-Weekly Report:
Mr. Zaharieff highlighted items from the Bi-Weekly Report, submitted to the Trustees, including the Greene Tree Group's report. Questions were asked, answered and general discussion occurred.

ROAD:
Mr. Zaharieff presented items for the Road Department.

Purchase Request for Bulldozer Rental:
2015-074 Mr. Paxson made a motion to approve the purchase request to Cat Rental for the rental of a bulldozer, in an amount not to exceed $3,000.00; and authorize the Township Administrator to sign for the Board. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

Hiring of Full-time Service Worker 1:
2015-075 Ms. Graff made a motion to approve **Resolution 2015-075**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, moved to approve the hiring of Colin B. Lamb as a Service Worker 1, Grade 1, Step 1 in the Beavercreek Township Road Department, effective February 26, 2015 at a starting hourly rate of $14.41. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

Seasonal Staff:
2015-076 Mr. Paxson made a motion to approve advertising two (2) seasonal positions, for the Road Department, for the summer of 2015 to assist in grounds and road maintenance. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

Surplus of Sheriff's Tahoe:
2015-077 Mr. Paxson made a motion to approve **Resolution 2015-077**, WHEREAS, according to section 505.10 of the Ohio Revised Code the Trustees of Beavercreek Township may deem property to be obsolete, or unfit for the use for which it was acquired, and WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio finds a 2009 Chevrolet Tahoe Vin# 1GNFK03029R221549 not needed for public use, and declares the equipment obsolete, or unfit for use for which it was acquired.
Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Kretz, yes.

Bi-Weekly Report:
Mr. Zaharieff highlighted items from the Bi-Weekly Report, submitted to the Trustees including snow removal and Phillips Park Bridge. Questions were asked, answered and general discussion occurred.

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FIRE:
Mr. Zaharieff presented items for the Fire Department.

Purchase Request: Replacement Treadmills:
2015-078 Ms. Graff made a motion to approve purchase request (07029) to G&G Fitness Equipment for four (4) treadmills in the amount of $11,982.00; and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

Special Report to the Board:
General discussion occurred regarding the Special Events Staffing Costs for the Fire Department, not only concerning soccer tournaments, but also 5K and 10K runs. Larry Collins, from the Beavercreek Soccer Association was in the audience and participated in the discussion concerning soccer tournaments. Mr. Collins will speak with Mr. Ankeney about adding Fire Department costs for the CUSA Soccer Tournament.

EMS Billings:
2015-079 Ms. Graff made a motion to approve purchase request (07392) to Med3000 for EMS billing reimbursements in the amount of $3,054.78; and authorize the Township Administrator to sign for the Board. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

Hiring: Part-time Courier:
General discussion occurred regarding: schedule, costs and responsibilities of this position. Mr. Kretz asked if there were any other options available without hiring a new position. The Chief will go back and look for other options.

Bi-Weekly Report:
Mr. Zaharieff highlighted items from the Bi-Weekly Report, submitted to the Trustees. There were no questions.

TRUSTEE: None.
FISCAL OFFICER: None.
LEGAL INVOICES:
Per Township motion **2014-159**; all legal bills are reviewed by the Township Administrator and the Trustees only.
2015-080 Ms. Graff made a motion to approve the payment of funds to Surdyk, Dowd and Turner for Invoice #68345 dated January 31, 2015 in the amount of $266.00. Mr. Paxson seconded. Roll Call: Ms. Graff; yes; and Mr. Paxson, yes; and Mr. Kretz, yes.
2015-081 Ms. Graff made a motion to approve the payment of funds to Surdyk, Dowd and Turner for Invoice #68346 dated January 31, 2015 in the amount of $570.00. Mr. Paxson seconded. Roll Call: Ms. Graff; yes; and Mr. Paxson, yes; and Mr. Kretz, yes.
2015-082 Ms. Graff made a motion to approve the payment of funds to Surdyk, Dowd and Turner for Invoice #68347 dated January 31, 2015 in the amount of $3,116.69. Mr. Paxson seconded. Roll Call: Ms. Graff; yes; and Mr. Paxson, yes; and Mr. Kretz, yes.

2015-083 Ms. Graff made a motion to go into Executive Session per ORC 121.22(G)(1) To consider the compensation of a public employee and (G)(5) To consider matters required to be kept confidential by federal law at 3:49 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

2015-084 Ms. Graff made a motion to come out of Executive Session at 4:23 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

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2015-085 Ms. Graff made a motion to approve the use of Lieutenant Brian Seabold's accumulated sick leave for a period of four (4) weeks upon the expiration of his initial twelve (12) weeks of approved FMLA leave. Mr. Paxson seconded. Roll Call: Ms. Graff, yes, Mr. Paxson, yes; and Mr. Kretz, yes.

2015-086 Ms. Graff made a motion to Adjourn at 4:24 P.M. Mr. Paxson seconded. Roll Call: Ms. Graff, yes; Mr. Paxson, yes; and Mr. Kretz, yes.

Trustee: _____

Fiscal Officer: _____