

## Regular Beaver Creek Trustee's Meeting

Monday, August 15,

2016

Ms. Graff called the Regular Trustee Meeting to order at 1:00 P.M. Those present were: Trustees Carol Graff, Tom Kretz and Jeff Roberts. Legal Advisor Dawn Frick was also present. Staff present: Road Superintendent Tim Parks, Fire Chief David VandenBos, IT Manager Jeff Terry, Zoning Administrator/Inspector Ed Amhrein, and HR Manager Trish Gustafson.

**2016-342** Mr. Kretz made a motion to approve the Agenda for August 15, 2016, with the following additions: add to the Executive Session under 121.22 (G)(1) To consider the employment, compensation, and discipline of a public employee or official. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

**2016-343** Mr. Kretz made a motion to approve the August 17, 2016 Payroll in the amount of \$277,819.84. Mr. Roberts seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

**2016-344** Mr. Roberts made a motion to approve the Bills in the amount of \$160,868.50. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

**2016-345** Mr. Kretz made a motion to approve the Regular Trustee Meeting Minutes for May 23, 2016. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

**2016-346** Mr. Roberts made a motion to approve the Regular Trustee Meeting Minutes for June 6, 2016. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

**2016-347** Mr. Kretz made a motion to approve the Special Trustee Meeting Minutes for June 13, 2016. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

### **ADMINISTRATOR:**

#### City-Township Joint Meeting Agenda:

Fire Chief/Acting Township Administrator David VandenBos presented the proposed Agenda for the Joint Meeting as it was listed in the Trustee packet. Ms. Graff asked if there were any additions to that and with none, asked Chief VandenBos what kind of presentation he was going to give and Chief VandenBos stated that it will be similar to the Bi-Weekly reports he gives the Trustees that summarize our activities in the city and the township. Ms. Graff suggested he also talk about the new compression CPR device. The trustees had no additions/deletions for the proposed Agenda for the Joint Meeting with the City on August 29, 2016 at 5:00 P.M. as presented in the packet.

#### Greene County Sheriff's Office:

Acting Township Administrator David VandenBos presented the Sheriff's Office Bi-weekly and Monthly reports and the Board thanked the Sheriff's Department for the reports as it gives them a complete look at what the Department is doing for Beaver Creek.

**HUMAN RESOURCES:** No report.

Mr. Kretz asked about the migration to the new insurance. Ms. Gustafson stated that besides a few glitches, everything migrated, with no loss of coverage, and that

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Ms. Schultz has streamlined the invoice to process it more efficiently. The next phase will be the Wellness Initiative, with meetings sometime in October.

**ZONING:**Request to Schedule a Special Trustee Zoning Meeting:

Zoning Inspector/Administrator Ed Amhrein stated that the Zoning Commission, at their last meeting, voted to approve a re-zoning for the property at 443 South Fairfield Road, and that now the Trustees need to meet to hear that case.

The Beavercreek Board of Trustees will hold a public hearing in the Community Room, lower level of Fire Station #61, located at 2195 Dayton-Xenia Rd, Beavercreek, Ohio 45434 on Tuesday, August 30, 2016, scheduled to begin at 7:00 P.M.

The purpose of the hearing is so the Board of Trustees may review and act on a Zoning District Change request (re-zoning) made by the Zoning Administrator on behalf of the Township and the property owner Jimmy D. McPherson. The re-zoning is for the purpose of allowing Mr. McPherson to split his 5.02-acre property into two parcels of approximately 3.14 acres and 1.88 acres respectively. The property is currently zoned A-1 Agriculture, which specifies a minimum parcel size of 5 acres. The proposed new Zoning District for the property is R-1AA/Residential, with a minimum lot size of one (1.0) acre.

Bi-Weekly Report:

Mr. Amhrein answered all questions concerning his bi-weekly report regarding: permits, re-zoning requests – one a family re-zoning, the other potentially more difficult one at Kilcare from agriculture to light industrial. General discussion occurred regarding possible scenarios for the Kilcare re-zoning request. General questions were asked and answered regarding River Reserve, and Nathaniel's Grove regarding roads and sewer. There is no update on Bexley Hills at this point. Discussion occurred on Safe Routes to School regarding: the significant progress of the creation of a matrix that encompasses all of the schools in the school district with wish list items, challenges, and potential solutions for an All School Safe Routes to School plan. Meetings are still being scheduled to bring in other entities that have not been involved yet, such as the new school superintendent and the Greene County Engineer, to get their input before the plan is finalized and presented to the community. Mr. Amhrein has a projected date of March 2017 for completion of a plan for the schools in order to apply for funding. Funding is one hundred percent reimbursement, so any funds would have to initially come from local sources – whether the city, township or school district. These decisions would have to be made at the Board of Trustee level in the future.

**INFORMATION TECHNOLOGY:**Barracuda Energizer Purchase Request:

**2016-348** Mr. Roberts made a motion to approve the purchase request (07789) to MNJ Technologies for Barracuda Energizer updates, in the amount of \$2,783.85; and authorize the Township Administrator to sign for the Board. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Bi-Weekly Report:

Mr. Terry gave a brief update on the new voicemail. Work is getting done to transition the old system to the new.

**ROAD:**ODOT Purchasing Resolution:

Road Superintendent Tim Parks presented the purchasing resolution as presented in the Trustee packet. There were no questions.

**2016-349** Mr. Kretz made a motion to approve **Resolution 2016-349**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, moved for approval of the following:

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WHEREAS, Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies or other articles.

WHEREAS, The Township Administrator hereby request authority in the name of Beavercreek Township to participate in the Ohio Department of Transportation's contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01.

WHEREAS, The Township Administrator is hereby authorized to agree in the name of Beavercreek Township to be bound by all Ohio Department of Transportation contract terms and conditions and to assume all responsibility for placing orders and vendor payments.

WHEREAS, The Township Administrator is hereby authorized to agree in the name of Beavercreek Township to directly pay vendors, under each contract of the Ohio Department of Transportation in which Beavercreek Township participates, for items it received pursuant to the contract.

WHEREAS, Beavercreek Township agrees to be responsible for resolving all claims or disputes arising out of its participation in cooperative purchasing program under Section 5513.01(B) of Ohio Revised Code. Beavercreek Township releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims or actions, arising out of its participation in cooperative purchasing program which Beavercreek Township may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on part of ODOT or its employees.

This Agreement does not obligate either Beavercreek Township or the State to indemnify or hold the other harmless with respect to any claim or demand asserted by a third parties against Beavercreek Township or the State, or provide or pay for any legal representation, attorney fees, or other litigation cost incurred by that party in defending against any such claim or demand.

Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes. NOW THEREFORE BE IT RESOLVED THAT, the Board of Trustees of Beavercreek Township, Greene County, Ohio favorably passed the above Resolution.

**Bi-Weekly Report:**

There were no questions.

Mr. Parks gave a brief update on the library roof project. The materials are in and right now we are just waiting on the rain to stop.

**FIRE:****Bi-Weekly Report:**

Fire Chief VandenBos pointed out a few things from his report: the Battle of the Badge, which takes place in two weeks; the Youth Works program, which unfortunately one person had to be terminated, but the other hires are doing well and finishing what they have been working on all summer. Mr. Roberts gave kudos to the Fire Department for the CPR classes at the high school.

Chief VandenBos stated that it came to his attention late Friday that one of the firefighters had an overpayment stemming from a direct deposit change, resulting in an overpayment for several pay periods, but that it came to the firefighter's attention while balancing her checkbook and that she is ready to re-pay the entire overpayment. Chief VandenBos stated that Chief Mercs is working with the Fiscal Office to correct the mistake and that Chief VandenBos will do a write up on the situation and either include it in the packet for the next Trustee meeting or send it to the Trustees. The Board asked that the Chief relay to the Township

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Administrator they would like him to review payroll for that time period of May 10<sup>th</sup> to the present, when there has been instability, to make sure that there weren't any other situations like this both within the Fire Department and the Township as a whole.

**LEGAL ADVISOR:** Nothing.

**TRUSTEE:**

Ms. Graff requested a list from the Township Administrator of the Minutes that have not been approved, so they know which Minutes are still waiting for approval.

**FISCAL OFFICER:**

Kitty Crockett Agreement:

Mr. Kretz stated that the Trustee's had received a request from Ms. Ahrens regarding an extension of the Kitty Crockett Agreement for a forty (40) hours on-call, as needed basis, not to exceed \$880.00. Mr. Kretz said he would like Alex's input on this before voting on it, not that he's for or against it, and ask that it be put on the next agenda. Ms. Graff had a question on the accounting and that the AFO would like to go to formal training of the UAN at the State Auditor's Office and then questions could be asked and answered there, rather than approving money to be spent to ask questions when we have them. General discussion occurred regarding the free support the State Auditor's Office provides for UAN. The topic will go on the next Agenda.

**EXECUTIVE SESSION:**

**2016-350** Mr. Kretz made a motion to go into Executive Session per ORC 121.22(G)(1) To consider the employment, compensation, and discipline of a public employee or official; (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 (G)(8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance at 1:46 P.M. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

**2016-351** Mr. Roberts made a motion to come out of Executive Session at 3:28 P.M. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; and Mr. Kretz, yes.

**2016-352** Mr. Kretz made a motion to approve the Re-Employment After Retirement Policy, as presented:

BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO  
POLICY MANUAL

Policy Title: Re-employment after Retirement Approved: August 15, 2016

Section: VI Revised: N/A

Number: 25 Reviewed: August 15, 2016

**PURPOSE:** To provide an opportunity to retain the skills, knowledge and expertise of the Township's Department Heads through a re-employment program following retirement.

**APPLICATION:** This policy contains specific guidelines applicable to all Beaver Creek Township employees. The details of procedures for members of the labor groups listed below may be contained in their respective contracts or agreements.

**REFERENCE(S):** Beaver Creek Township Policy Manual; IAFF Local 2857 Collective Bargaining Agreement; Beaver Creek Township Road Department Agreement.

**RELATED**

**POLICY(S):** N/A

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**DEFINITIONS: Employee** - all individuals except independent contractors and elected officials, whose compensation is paid by the Township and who have been hired via Township Resolution.

**Department Head**- an individual, as defined by their job description, who oversees the daily operations of one of the Township's departments.

**Township Administrator** – an Employee of the Board of Trustees who acts as the designee of the Board and manages all day to day operations of the Township, and whose duties are defined within the Ohio Revised Code.

**POLICY:**

### **1.0 General Requirements**

1.1 Department Heads who have retired from service with the Township may be re-hired for positions on a part-time or full-time basis in accordance with provisions set forth by the Ohio Public Employees Retirement System or the Ohio Police and Fire Pension Fund.

1.2 The Township Administrator will determine which, if any, Department Heads are eligible for this program.

1.3 Any Department Head who has been rehired by the Township into a full-time position exempt from the Fair Labor Standards Act will be paid a salary which compensates them for all hours worked and will work a minimum of forty (40) hours per week. Further, any employee re-hired based up this program will not be entitled to receive any additional compensation for hours worked in excess of their normal work day, work week, or work period.

1.4 In the event that OP&F or OPERS require the employee to no longer be employed in a position for a period of time the employee must forfeit the same amount with respect to his/her retirement benefits. It is the Township's preference for the employee to continue his/her employment without a break in service. In recognition of this preference, and upon entering the program, the employee will be paid at the rate he/she was receiving at the time of retirement (retirement pay rate) for the time period required by the retirement system. From this time period on, the employee will be paid at their rehired negotiated pay rate.

1.5 Any employee rehired based upon this policy will be eligible for, but not entitled to or guaranteed, a cost-of living wage adjustment if the Township provides one for other employees within the organization. In addition, if the Township feels it is warranted, the employee may receive a merit pay adjustment, as long as the adjustment falls within the authorized salary range for the position.

1.6 Employees wanting to participate in this program shall provide the Township Administrator with a written notice of their intent to retire. The employee's retirement must not be contingent upon the employee's ability to participate in in this program.

1.7 Rehired employees may be permitted to participate in the program up to two (2) years initially. The Township may, at its sole discretion, extend the opportunity to the employee to continue in the program for two (2) one-year terms. Each year will be evaluated independently.

### **2.0 Sick Leave**

2.1 Sick leave will not be paid out at the time of the employee's retirement. Instead, the employee's existing sick leave bank will remain in place and serve as the maximum amount the employee will be paid at his/her retirement pay rate at the conclusion of the program. Once entering the program, the sick leave hours eligible for compensation at the retirement rate may decrease, however, will not increase. Any and all hours accrued after entering the program will be compensated at the employee's new pay rate.

2.2 In the case of conversion of sick leave, the employee's retirement pay rate will become effective beginning the month he/she is re-employed.

Mr. Roberts seconded. Roll Call: Mr. Kretz, yes, Mr. Roberts, yes; and Ms. Graff, yes.

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**2016-353** Mr. Kretz made a motion to Adjourn at 3:30 P.M. Mr. Roberts seconded.  
Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

Trustee: \_\_\_\_\_

Fiscal Officer: \_\_\_\_\_