

Regular Beaver Creek Trustee's Meeting**Monday, December 5,****2016**

Ms. Graff called the Regular Trustee Meeting to order at 1:02 P.M. Those present were: Trustees Carol Graff, Tom Kretz and Jeff Roberts and Fiscal Officer Christy Ahrens. Legal Advisor Dawn Frick was also present. Staff present: Township Administrator/Public Safety Director Alex Zaharieff, Road Superintendent Tim Parks, Fire Chief David VandenBos, IT Manager Jeff Terry, Zoning Inspector/Administrator Ed Amhrein, and Human Resource Manager Trish Gustafson.

2016-471 Mr. Roberts made a motion to approve the Agenda for December 5, 2016 with the following: eliminate employment as a reason to go into Executive Session per ORC 212.22(G)(1). Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

2016-472 Mr. Kretz made a motion to approve the December 7, 2016 Payroll in the amount of \$578,961.24. General discussion occurred regarding the increased amount and the fact that longevity pay for Road and Bridge and holiday pay and education and wellness amounts for Fire were also included in this payroll. Mr. Kretz seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-473 Mr. Roberts made a motion to approve the Bills in the amount of \$53,037.95. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

2016-474 Mr. Kretz made a motion to approve the Special Trustee Meeting Minutes from April 26, 2016 and September 6, 2016. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-475 Mr. Roberts made a motion to approve the Special Trustee Meeting Minutes from October 17, 2016 and October 19, 2016. Ms. Graff seconded. Roll Call: Mr. Roberts, yes; Ms. Graff, yes; and Mr. Kretz, abstained.

2016-476 Mr. Kretz made a motion to approve the Special Trustee Meeting Minutes from November 14, 2016. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-477 Mr. Roberts made a motion to approve the Regular Trustee Meeting Minutes from November 21, 2016 and the Special Trustee Meeting Minutes from November 21, 2016. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, abstained.

RESIDENTS/GUESTS DESIRING TO SPEAK: None.

OLD BUSINESS:Purchase a replacement Medic Unit:

This item was a carry-over discussion from the last Regular Trustee Meeting regarding purchasing a new medic, which would replace one of the reserve medics. Therefore, a vehicle will leave the fleet and another vehicle will get stepped down. General discussion occurred.

2016-478 Mr. Roberts made a motion to approve the purchase request (08393) to Burgess Hearse & Ambulance Sales, Inc. for a new medic unit, in the amount of \$246,407.00; 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.

2016-479 Mr. Kretz made a motion to approve the purchase request (08392) to Motorola Solutions for one mobile radio and one data modem for new medic, in the amount of \$11,000.00; and authorize the Township Administrator to sign for the Board. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

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NEW BUSINESS: None.

ADMINISTRATOR:

Permissive Motor Vehicle License Tax:

Township Administrator/Public Safety Director Alex Zaharieff presented the Resolution for the Permissive Motor Vehicle License Tax, outlining the public hearing sessions that took place regarding the topic and the number of people who attended.

2016-480 Mr. Roberts made a motion to approve **Resolution 2016-480**, A Resolution to Enact a Township Permissive Motor Vehicle License Tax Pursuant to Ohio Revised Code 4504.18

WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, Ohio, recognize the importance of maintaining township roads and that the funds available for road maintenance remain stagnant while the cost of road maintenance is increasing; and WHEREAS, Ohio Revised Code 4504.18 allows the Board of Trustees to levy an annual license tax upon the operation of motor vehicles on the public roads and highways in the "unincorporated territory" of the township for the purpose of paying for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; the costs and expenses of enforcing and administering the license plate tax; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment; and for planning, constructing, and maintaining suitable buildings to house road equipment; and WHEREAS, per Ohio Revised Code 4504.18, public notifications were published in the Dayton Daily News on October 23, 2016 announcing two public hearings which were held on November 7, 2016, and November 21, 2016 to provide information and accept comments about a proposed \$5.00 permissive motor vehicle license tax (additional township license tax); and WHEREAS, four (4) residents from the Township appeared at the November 7, 2016 hearing and three (3) residents appeared at the November 21, 2016 hearing to voice their concerns and have their questions addressed and answered by the Board of Trustees;

Mr. Kretz seconded. Discussion occurred regarding: how the money will be used and that it will continue to be collected and used for purposes it can be used for in the future; therefore, there is no sunset clause. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO THAT: Section 1. Pursuant to Ohio Revised Code 4504.18, an annual license tax is levied upon the operation of motor vehicles on the public roads and highways in the registration district known as the unincorporated area of Beavercreek Township, Greene County, Ohio. Section 2. Such tax shall be levied at a rate of five dollars and zero cents (\$5.00) per motor vehicle on all motor vehicles the owners of which reside in the registration district known as the unincorporated area of Beavercreek Township, Greene County, Ohio. Section 3. The intent of this Resolution is to levy the full tax a township is allowed to annually levy under Ohio Revised Code 4504.18. Section 4: The Board of Trustees of Beavercreek Township, Greene County, Ohio, will enact a \$5.00 permissive motor vehicle license tax which will take effect 30 days after adoption of this Resolution as the earliest date allowed by law. Section 5: All revenues realized by Beavercreek Township, Greene County,

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Ohio, pursuant to the Resolution is used only for the purpose allowed under Ohio Revised Code 4504.18.

Section 6: That this Board of Trustees hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

2017 Meeting Schedule:

2016-481 Mr. Kretz made a motion to approve **Resolution 2016-481**, WHEREAS, the Beavercreek Township Board of Trustee will hold Regular Meetings for calendar year 2017 in accordance with the Ohio Sunshine Law and Open Meetings Act; and WHEREAS, the Ohio Sunshine Law and Open Meetings Act, provides that each public body prepare and make available a schedule of all regular meetings for the calendar year, listing the times and places of meetings; Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

NOW, THEREFORE, BE IT RESOLVED THAT, the Beavercreek Township Board of Trustees will conduct Regular Meetings for calendar year 2017 on the second and fourth Monday of each month. All meetings will be held at 1:00 PM in the Community room in the lower level of Fire Station 61 located at 2195 Dayton-Xenia Road, Beavercreek, Ohio, unless adjusted through public notice otherwise, or as indicated below:

December 5, 2016	December 19, 2016
January 9, 2017	January 23, 2017
February 13, 2017	February 27, 2017
March 13, 2017	March 27, 2017
April 10, 2017	April 24, 2017
May 8, 2017	May 22, 2017
June 12, 2017	June 26, 2017
July 10, 2017	July 24, 2017
August 14, 2017	August 28, 2017
September 11, 2017	September 25, 2017
October 9, 2017	October 23, 2017
November 13, 2017	November 27, 2017
December 11, 2017	December 26, 2017 (Tuesday)

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, the payroll and bills will be approved at Temporary and Final Appropriations for Fiscal Year 2017 and payroll will remain on the current biweekly schedule. All purchases will be in accordance with the Budget and Purchasing Policy, Section VI Number 23 of the Beavercreek Township Policy Manual.

Identity Statement:

Township Administrator/Public Safety Director Alex Zaharieff presented the Beavercreek Township Government Identity Statement created by Wright State graduate students working on their Master’s degree in Public Administration, participating in a Strategic Planning class. Mr. Zaharieff stated that there was a public hearing regarding the topic, unfortunately no one from the community attended. The students are presenting this to their class next week and it is part of a larger document they created regarding the Township, from information gathered from elected officials and employees.

Mr. Kretz asked that they look at page 11 – and find another word for “lack of”, as if something is missing in the Township and there isn’t.

Ms. Graff felt that Mission Statements should be definitive and declarative in nature, and put in present tense.

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Mr. Roberts said it was pretty standard to have it read this way. Mr. Kretz agreed with Ms. Graff and would like it to be more deliberate. The Administrator will make the changes and talk with the students. The Trustees thanked the graduate students for a job well done. Mr. Zaharieff stated that he will get a copy of the entire report and share it with the elected officials.

Xenia Township:

Township Administrator/Public Safety Director Alex Zaharieff presented an appreciation letter written by Xenia Township Administrator Alan Stock regarding the HR Manager Trish Gustafson. Mr. Kretz read the letter out loud and it will be placed in Ms. Gustafson's personnel file.

Greene County Sheriff's Office:Bi-Weekly:

Ms. Graff asked if there was accounting for each of the interdictions. Not at this time, but the Township Administrator will gather it. Mr. Zaharieff stated there was another significant drug bust that occurred with the help of the City of Beavercreek's canine unit.

HUMAN RESOURCES:Bi-Weekly Report:

Township Administrator/Public Safety Director Alex Zaharieff presented and general discussion occurred regarding: the calendar for determining and the term for the Fire Union President; and timing for contract negotiations for the Fire Department.

ZONING:Bi-Weekly Report:

Township Administrator/Public Safety Director Alex Zaharieff presented and general discussion occurred regarding: permits; and a job well done by Mr. Amhrein from a citizen for his work on the Safe Route planning and possible funding options for the plan.

INFORMATION TECHNOLOGY:Bi-Weekly Report:

Township Administrator/Public Safety Director Alex Zaharieff presented and general discussion occurred regarding: a special building to house Township servers. The project was deferred and it is not in 2017 appropriations. The project is still being discussed and researched.

ROAD:Re-appropriation Resolution:

2016-482 Mr. Roberts made a motion to re-appropriate from Account 1000-930-930-0000, Contingencies, to Account 1000-610-323-0000, Repairs and Maintenance (Park), in the amount of \$5,000.00. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Hiring Resolution for On-Call Road Worker positions:

Township Administrator/Public Safety Director Alex Zaharieff presented the topic and general discussion occurred.

2016-483 Mr. Roberts made a motion to approve **Resolution 2016-483**, WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, moved to approve the hiring of Gregory E. Smith as a Seasonal On Call Maintenance Worker to work on an as needed basis in the Beavercreek Township Road Department at a starting rate of \$11.00 per hour pending the successful completion of Beavercreek Township's Pre-Employment Process. WHEREAS, the Board of Trustees of Beavercreek Township, Greene County, State of Ohio, moved to approve the hiring of Timothy B. Dempsey as a Seasonal

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On Call Maintenance Worker to work on an as needed basis in the Beaver Creek Township Road Department at a starting rate of \$13.00 per hour pending the successful completion of Beaver Creek Township's Pre-Employment Process. Mr. Kretz seconded. General discussion occurred regarding: the total number of hours allowable for seasonal workers and that both hires are returning, having worked for the Township last winter. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Bi-Weekly Report:

Township Administrator/Public Safety Director Alex Zaharieff presented and general discussion occurred regarding: the property on Dayton-Xenia Road next to Beaver Cemetery and its uses – fire training which is typically hose line extension training and search and rescue and the Road Department stores items in the shed. Mr. Zaharieff stated that it has been very valuable to have the property for training for the Fire Department.

FIRE:Bi-Weekly Report:

Township Administrator/Public Safety Director Alex Zaharieff presented and general discussion occurred regarding: public outreach and staff working on budgets.

TRUSTEE: Nothing.**FISCAL OFFICER:**Resolution for Cemetery Fund:**2016-484** Mr. Kretz made a motion to approve **Resolution 2016-484**,

The Board of Trustees of Beaver Creek Township, of Greene County, Ohio, met at a duly called and authorized meeting of the Board of Trustees of Beaver Creek Township on the date set forth above, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Beaver Creek Township Board members, and the following resolution was made, seconded, and adopted by those present at the meeting.

WHEREAS, the Fiscal Officer has determined that the estimated resources in the Cemetery Fund are now \$10,666 below the Official Certificate of Estimated Resources, approved by the Board of Beaver Creek Township Trustees on February 1, 2016 (Resolution Number 2016-064) and currently on file at the Greene County Auditor's Office; and

WHEREAS, Ohio Revised Code §5705.36(A)(4) states that upon a determination by the Fiscal Officer that the revenue to be collected will be less than the amount included in an official certificate and that the amount of the deficiency will reduce available resources below the level of current appropriations, the Fiscal Officer shall certify the amount of the deficiency to the County Budget Commission, and the Commission shall certify an amended certificate reflecting the deficiency.

Mr. Roberts seconded. General discussion occurred regarding the diminishing revenue due to an increase in cremations. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

NOW, THEREFORE, BE IT RESOLVED that, with total resources now estimated to be \$77,145.28, the Board of Beaver Creek Township Trustees, hereby recognizes the deficiency of resources in the Cemetery Fund; and

FURTHER, BE IT RESOLVED that the Fiscal Officer is authorized to certify the amount of the deficiency to the County Budget Commission with the attached "Supplemental Certificate of the Total Amount Available from All Sources Available for Expenditures and Balances."

Temporary Appropriations:**2016-485** Mr. Roberts made a motion to approve **Resolution 2016-485**,

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The Board of Trustees of Beaver Creek Township, of Greene County, Ohio, met at a duly called and authorized meeting of the Board of Trustees of Beaver Creek Township on the date set forth above, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Beaver Creek Township Board members, and the following resolution was made, seconded, and adopted by those present at the meeting.

WHEREAS, the Budget Commission of Greene County, Ohio provided the Board of Trustees of Beaver Creek Township with an Official Certificate of Estimated Resources, dated September 1, 2016; and

WHEREAS, the total of All Funds on the above Certificate is \$13,065,271; and

WHEREAS, a “by-fund” distribution of these funds is attached; and

WHEREAS, Ohio Revised Code §5705.38(B) allows that, prior to the passage of the annual appropriation measure, the Board may pass a temporary appropriation measure for meeting the ordinary expenses of the Township.

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

NOW, THEREFORE, BE IT RESOLVED, that, in order to provide for the current and ordinary expenses of the Township, for the fiscal year ending December 31, 2017, the Board of Trustees of Beaver Creek Township does hereby set aside \$13,065,271 in temporary appropriations.

**2017 Fiscal Year
Temporary Appropriations
December 5, 2016**

<u>Fund</u>	<u>\$ Amount</u>
1000 General Fund	\$ 1,671,250.00
2011 Motor Vehicle License Tax	43,190.00
2021 Gasoline Tax	169,510.00
2031 Road and Bridge	1,481,046.00
2041 Cemetery	63,034.00
2191 Police	489,867.00
2192 Fire	7,672,937.00
2231 Permissive Motor Vehicle	54,917.00
2281 EMS Medic Services	1,129,007.00
2903 Accumulated Leave Balances	0.00
4901 New Ambulance	0.00
4902 Land Acquisition/Improvement	290,513.00
4903 Advanced Life Support Fire Engine	0.00
4905 Land Mobile Radios	0.00
9001 LGIF Marcs	0.00
9751 Private Purpose Trust	<u>0.00</u>
Total	<u>\$13,065,271.00</u>

EXECUTIVE SESSION:

2016-486 Mr. Kretz made a motion to go into Executive Session per ORC (G)(1) To consider the dismissal and compensation of a public employee and per ORC(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 at 1:53 P.M. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

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2016-487 Mr. Roberts made a motion to come out of Executive Session at 3:41 P.M. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

2016-488 Mr. Kretz made a motion to authorize the Township Administrator to sign the Agreement set forth at mediation with Debra White. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-489 Mr. Kretz made a motion to authorize legal counsel to file the Petition to Contest the election of November 8, 2016 as to Issue 14. Mr. Kretz seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-490 Mr. Roberts made a motion to Adjourn at 3:43 P.M. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

Trustee: _____

Fiscal Officer: _____