

Regular Beaver Creek Trustee's Meeting

Monday, February 01,

2016

Mrs. Graff called the Regular Trustee Meeting to order at 1:00 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, Finance Director James Barone, Road Superintendent Tim Parks, Fire Chief David VandenBos, IT Manager Jeff Terry, Zoning Administrator/Inspector Ed Amhrein, and HR Manager Trish Gustafson.

2016-053 Mr. Roberts made a motion to approve the Agenda for February 1, 2016 as presented. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

2016-054 Mr. Kretz made a motion to approve the February 3, 2016 Payroll in the amount of \$271,559.43. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-055 Mr. Roberts made a motion to approve the Bills in the amount of \$235,699.36. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

2016-056 Mr. Kretz made a motion to approve the Regular Trustee Meeting Minutes held January 19, 2016. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-057 Mr. Roberts made a motion to approve the Special Trustee Meeting Minutes held January 26, 2016. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes.

PRE-SCHEDULED SPEAKER:

Xenia Community School District Superintendent Denny Morrison spoke to the Trustees about what is new in the school district, including: the district's financial good standing; adding courses; increasing enrollment; and the opportunity to build new middle and high schools. Assistant Superintendent Christy Fielding handed out a packet and spoke to the Trustees regarding the potential building sites for the new schools and discussed each sites positive and negative attributes.

RESIDENTS/GUESTS DESIRING TO SPEAK: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

ADMINISTRATOR:

Zoning Commission Appointment:

2016-058 Mr. Roberts made a motion to approve **Resolution 2016-058**, WHEREAS, Ohio Revised Code 519.04 permits the Board of Trustees to create a Zoning Commission for Beaver Creek Township; and WHEREAS, the Beaver Creek Township Trustees having considered available applicants for said Zoning Commission. Mr. Kretz seconded. Roll Call: Mr. Roberts, yes; Mr. Kretz, yes; and Ms. Graff, yes. NOW, THEREFORE, BE IT RESOLVED THAT, after due consideration of all the evidence presented, the Beaver Creek Township Board of Trustees voted to appoint Justin Nidiffer as Alternate to the Zoning Commission, said term to expire on March 31, 2021 or until a suitable replacement is appointed.

Legal Agreements:

Township Administrator/Public Safety Director Alex Zaharieff presented the Trustees all of the Township's Legal Agreements and recommended no change.

2016-059 Mr. Kretz made a motion to approve **Resolution 2016-059**, WHEREAS, the Board of Trustees of Beaver Creek Township, Greene County, Ohio desires to

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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;

Mr. Roberts seconded.

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beaver Creek Township hereby employs the law firm of Dunlevey, Mahan & Furry 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 \$355.00 per hour for services rendered by Robert T. Dunlevey, Jr., \$275.00 per hour for services rendered by Gary W. Auman, \$255.00 per hour for services rendered by Douglas S. Jenks, \$235.00 per hour for services rendered by Abigail K. White, and \$145.00 to \$155.00 per hour for services rendered by paralegals. In addition, Dunlevey, Mahan & Furry shall be reimbursed for any and all out-of-pocket expenses which it may incur in providing said legal services.

BE IT FURTHER RESOLVED that the Township Administrator is hereby authorized to sign a written agreement on behalf of this Board setting forth the terms of employment including reimbursement of out-of-pocket expenses; and authorizes the Township Administrator to sign for the Board.

2016-060 Mr. Roberts made a motion to approve **Resolution 2016-060**, , WHEREAS, the Board of Trustees of Beaver Creek 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. Kretz seconded.

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beaver Creek 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 \$260.00 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.

2016-061 Mr. Kretz made a motion to approve **Resolution 2016-061**, WHEREAS, the Board of Trustees of Beaver Creek 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. 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 Beaver Creek 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.

2016-062 Mr. Roberts made a motion to approve **Resolution 2016-062**, WHEREAS, the Board of Trustees of Beaver Creek Township, Greene County, Ohio desires to employ the law firm of Carter Law LLC, 4347 Castleton Road, Columbus, Ohio 43220 to provide such legal services;

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Mr. Kretz seconded.

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Beaver Creek Township hereby employs the law firm of Carter Law LLC to represent the Township and its officers, boards, and commissions in their official capacity and to advise them on legal matters. For those individuals authorized by the Township to provide legal services, said firm shall be paid at the rate of \$200.00 per hour for senior attorneys, \$175.00 per hour for associate attorneys, and \$75.00 per hour for law clerks and legal assistants. This rate is fixed for 2016; time spent on travel and telephone calls is considered billable time. Fees will be paid monthly.

Greene County Sheriff's Office Report: Next meeting there will be a monthly report for January 2016.

FINANCE:

Mr. Zaharieff presented the Bi-Weekly Report for the Finance Department.

Bi-Weekly Report:

There were no questions.

HUMAN RESOURCES:

Mr. Zaharieff presented the Bi-Weekly Report for the HR Department.

Bi-Weekly Report:

General discussion occurred regarding: needing to hire another firefighter and why firefighters are choosing not to come to Beaver Creek; and re-evaluating the hiring process for firefighters.

ZONING:

Mr. Zaharieff presented the Bi-Weekly Report for the Zoning Department.

Bi-Weekly Report:

General discussion occurred regarding the spike in revenue in 2011, due to a single action, that of the Beaver Creek School District paying a Zoning fee for the new schools. This will be flagged on the Zoning Report going forward.

INFORMATION TECHNOLOGY:

Mr. Zaharieff presented the Bi-Weekly Report for the IT Department.

Bi-Weekly Report:

General discussion occurred regarding storage items and possibly using Unitrends, and the continued problems with having the T1 line moved from the old Fiscal Office to the new. Mr. Kretz suggested Mr. Terry look at getting an E-Fax line.

ROAD:

Purchase Request:

2016-063 Mr. Kretz made a motion to approve the purchase request (00362) to Schott Plumbing for the replacement of the water softener at Station 62 in the amount of \$4,302.15; and authorize the Township Administration to sign for the Board. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

Bi-Weekly Report:

Mr. Zaharieff presented the Bi-Weekly Report for the Road Department.

General discussion occurred regarding: a truck on Yellow Brick Road taking water; and the salt chart which is a comparison for the same time period between last year and this year.

FIRE:

Bi-Weekly Report:

Mr. Zaharieff presented the Bi-Weekly Report for the Fire Department. General discussion occurred regarding: the Healthy Heroes program; and the automated CPR device.

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TRUSTEE:

Ms. Graff stated that all elected officials and many township employees attended the Ohio Township Association Conference last week in order to continue to be aware of the many challenges facing townships and hear and discuss possible solutions.

FISCAL OFFICER:

Permanent Appropriations:

2016-064 Mr. Kretz made a motion to approve, based upon the recommendation of Fiscal Officer Christy L. Ahrens, Permanent Appropriations for calendar year 2016 in the amount of \$25,488,797.51 as follows:

General Fund	2,303,354.87
Motor Vehicle License Tax	42,635.02
Gasoline Tax	181,324.94
Road and Bridge	1,539,857.15
Cemetery	87,811.28
Police	633,638.13
Fire	13,002,384.06
Permissive Motor Vehicle	49,464.11
EMS Medic Services	4,584,643.54
Accumulated Leave Balances	362,961.62
Land Acquisition/Improvement	365,513.23
New Ambulance	499,275.28
Advanced Life Support Fire Engine	1,625,000.00
Land Mobile Radios	100,093.92
Private Purpose Trust	5,913.90
LGIF Marcs	104,926.46
Total	25,488,797.51

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

EXECUTIVE SESSION:

2016-065 Mr. Kretz made a motion to go into Executive Session per ORC 121.22(G)(1) To consider the employment, dismissal, promotion, and compensation of a public employee or employees; and 121.22 (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 2:03 P.M. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes; and Ms. Graff, yes.

2016-066 Mr. Kretz made a motion to come out of Executive Session at 3:45 P.M. Mr. Roberts seconded. Roll Call: Mr. Kretz, yes; Mr. Roberts, yes, and Ms. Graff, yes.

2016-067 Mr. Kretz made a motion to Adjourn at 3:45 P.M. Mr. Roberts seconded. Roll Call: Mr. Roberts, yes; Ms. Graff, yes; and Mr. Kretz, yes.

Trustee: _____

Fiscal Officer: _____