

**BEAVERCREEK TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting Minutes
January 11, 2021**

CALL TO ORDER

Board of Trustees Chair Debborah L. Wallace called the regular meeting of the Beaver Creek Township Board of Trustees to order, followed by the Pledge of Allegiance. Those present were Trustee and Chair of the Board Debborah L. Wallace, Trustee and Vice Chair of the Board Tom Kretz, Trustee Jessica Dean, Fiscal Officer Ryan A. Rushing, Township Administrator Alex Zaharieff, Fire Chief David Vandenberg, Chief Nathan Heister, Associate Economic & Zoning Administrator Max McConnell, Road Superintendent Tim Parks, Fire Marshall Randy Grogan, Human Resources Director Trish Gustafson, Sergeant Chris Moore, Planning and Zoning Administrator Ed Amrhein, Financial Manager Teri Molden, and Legal Advisor Dawn Frick.

APPROVAL OF THE AGENDA

Trustee Wallace asked if there were any changes and/or modifications to the agenda.

20210111-Admin-A: Trustee Dean made a **MOTION** to approve the agenda as presented, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

ACCEPTING FISCAL OFFICE REPORTS

20210111-Admin-B: Trustee Kretz made a **MOTION** Accept the General Ledger Report, in the amount of \$2,808.54, for the 12-07-20 special payroll, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-C: Trustee Dean made a **MOTION** Accept the General Ledger Report, in the amount of \$391,091.97, for the 12-16-20 payroll, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-D: Trustee Kretz made a **MOTION** Accept the General Ledger Report, in the amount of \$459,503.40, for the 12-30-20 payroll, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-E: Trustee Dean made a **MOTION** to approve Payment Listings Report, in the amount of \$705,503.40, for warrants through 12-10-20, seconded by

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Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

APPROVAL OF THE MEETING MINUTES

20210111-Admin-F: Trustee Kretz made a **MOTION** to adopt the December 14, 2020 Regular Trustee Meeting Minutes as presented, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-G: Trustee Kretz made a **MOTION** to adopt the December 18, 2020 Special Trustee Meeting Minutes as presented, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

CITIZENS DESIRING TO SPEAK

Trustee Wallace stated that this is the portion of the meeting in which citizens desiring to speak may do so. Having none, the Board moved to the next agenda item.

OLD BUSINESS

Having no Old Business, the Board moved to the next agenda item.

NEW BUSINESS

Administrator Zaharieff suggested a reorganization of the Board of Trustees.

20210111-Admin-H: Trustee Wallace made a **MOTION** to nominate Trustee Kretz as Chair of the Board of Trustees for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, abstain; Trustee Wallace, yes. Motion adopted.

20210111-Admin-I: Trustee Dean made a **MOTION** to nominate Trustee Wallace as Vice-Chair of the Board of Trustees for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, abstain. Motion adopted.

20210111-Admin-J: Trustee Kretz made a **MOTION** to appoint Debborah L. Wallace as the MVRPC Representative for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, abstain. Motion adopted.

20210111-Admin-K: Trustee Wallace made a **MOTION** to appoint Trustee Dean as the

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MVRPC alternate for 2021, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, abstain; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-L: Trustee Kretz made a **MOTION** to appoint Mr. Max McConnell as the TAC Representative for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-M: Trustee Dean made a **MOTION** to appoint Mr. Ed Amrhein as the TAC alternate for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-N: Trustee Wallace made a **MOTION** to appoint Trustee Kretz as the RPCC Representative for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, abstain; Trustee Wallace, yes. Motion adopted.

20210111-Admin-O: Trustee Kretz made a **MOTION** to appoint Trustee Dean as the RPCC alternate for 2021, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, abstain; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-P: Trustee Wallace made a **MOTION** to appoint Trustee Dean as the Health Department District Advisory Council Representative for 2021, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, abstain; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-Q: Trustee Kretz made a **MOTION** to appoint TA/Public Safety Director Alex Zaharieff as the Township Representative to the School Superintendent and City Manager meetings for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-R: Trustee Dean made a **MOTION** to appoint TA/Public Safety Director Alex Zaharieff as the Wright Patterson AFB Restoration Advisory Board Representative for 2021, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-S: Trustee Kretz made a **MOTION** to approve the membership to the Miami Valley Military Affairs Association for 2021 for the four elected officials and the Township Administrator, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-T: Trustee Dean made a **MOTION** to approve the membership to the

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Coalition of Large Ohio Urban Townships (CLOUT) for 2021 and appoint TA/Public Safety Director Alex Zaharieff as the Township Representative, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Trustee Kretz asked what the cost to the Township for membership in the Dayton Development Coalition was.

TA Alex Zaharieff replied that it was \$5,000.

20210111-Admin-U: Trustee Kretz made a **MOTION** to approve the membership to the Dayton Development Coalition for 2021, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Discussion regarding park improvement and needs ensued.

20210111-Admin-V: Trustee Dean made a **MOTION** to approve the Beaver Creek Wetlands Association Agreement, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

GREENE COUNTY SHERIFF'S OFFICE

Administrator Zaharieff presented the bi-weekly activity report.

Administrator Zaharieff presented the monthly report.

Sergeant Moore spoke regarding the year-end report. Preventative patrols on Route 35 and Orchard Lane have been effective and incidents are down.

Trustee Kretz requested that In Touch magazine be utilized to express that information and that tax-payer dollars are being spent the way they are supposed to be and have been effective in cutting down on crime in the area.

TA Zaharieff said that the information could be sent out in the summer issue.

HUMAN RESOURCES

Administrator Zaharieff presented the bi-weekly activity report.

COMMUNITY DEVELOPMENT AND RISK

Administrator Zaharieff presented the bi-weekly report.

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Fire Marshall Randy Grogean presented information from the Zoning Commission for Case #819 and #820.

20210111-CD&R-A: Trustee Kretz made a **MOTION** to schedule a public hearing to consider the recommendation from the Zoning Commission regarding Case #819 at the next regularly scheduled Trustees Meeting, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-CD&R-B: Trustee Dean made a **MOTION** to schedule a public hearing to consider the recommendation from the Zoning Commission regarding Case #820 at the next regularly scheduled Trustees Meeting, seconded by Trustee Kretz. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Fire Marshall Randy Grogean spoke about an error found from the Greene County Auditor by the Zoning Department regarding calculations about revenue predictions for the future. The errors have been corrected. He also spoke about a request from Greene County Planning Commission to put together a group to attend a workshop regarding the 2040 Land Use Plan.

Administrator Zaharieff presented the bi-weekly report.

INFORMATION TECHNOLOGY

Administrator Zaharieff presented the bi-weekly report.

ROAD DEPARTMENT

Administrator Zaharieff presented the bi-weekly report.

Trustee Wallace asked when there would be a fence installed around the dumpster.

Roads Superintendent Tim Parks said that they are waiting for a generator to be installed at the administration building and then a fence would be installed around the dumpster, the tower, and the generator.

Trustee Kretz asked a question about the ability of fire department apparatus to turn around in cul-de-sacs in the Township.

Roads Superintendent Tim Parks replied that after that neighborhood was established, the policy was changed so that cul-de-sacs would be large enough for fire department apparatus would be able to turn around.

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TA Zaharieff mentioned that one car parked in the cul-de-sac would inhibit turn around and require additional maneuvering and potentially cause the apparatus to have to back out of the cul-de-sac. The only way to prevent this possible disruption to neighboring homes would be to place no parking signs in the cul-de-sac.

Trustee Kretz requested assistance for some citizens getting a response from the County Engineer about an additional lane on Trebein Road.

TA Zaharieff spoke about offering to speak at Township Homeowner's Association meetings.

Trustee Wallace suggested adding that to the In Touch article.

FIRE DEPARTMENT

Administrator Zaharieff presented the bi-weekly report.

Chief VandenBos stated that there have been no patient treatment contracted cases of COVID for our first responders. Vaccines began on 12/31/2020 for Township first responders.

LEGAL ADVISOR

Nothing to bring to the board's attention at this time.

FISCAL OFFICER

Fiscal Officer Ryan Rushing spoke about going live with Open Checkbook early to mid-February. Residents will be able to go to the fiscal office website to view every check the Township writes. He also noted that pre-numbered motions and resolutions will now appear on the meeting agendas.

20210111-FO-A: A RESOLUTION TO REQUEST THE ADVANCE PAYMENTS OF TAX YEAR 2020, COLLECTED CALENDAR YEAR 2021, TAX SETTLEMENTS AND OTHER FUNDS FROM THE GREENE COUNTY AUDITOR.

Trustee Kretz moved to adopt the following resolution:

WHEREAS, pursuant to Ohio Revised Code Section 321.34, when a political subdivision requests by resolution the advancement of funds derived from taxes, or other sources that are payable by law to the county treasurer, any money that may be in the county treasury to the accounts of the local subdivision, the county auditor shall pay the township fiscal officer said advancements for the current fiscal year in which the request is made; and

WHEREAS, it is necessary that property taxes collected and held by the Greene County Auditor be procured from time to time for the expenditures of the general operating expenses of Beaver Creek Township, Greene County, Ohio prior to the regular distributions; and

WHEREAS, the Greene County Auditor has and will collect in 2021 those property taxes due for the tax year 2020; and

WHEREAS, it is desirable that advances of the 2020 taxes due to Beaver Creek Township be advanced to Beaver Creek Township prior to the normal settlement dates, in amounts based upon the funds collected by Greene County.

NOW THEREFORE BE IT RESOLVED THAT, the Beaver Creek Township Board of Trustees, Greene County, Ohio resolve:

SECTION 1: The Fiscal Officer is hereby authorized to request and procure from the Greene County Auditor advances from Greene County of any monies due to Beaver Creek Township for tax year 2020 property tax collections and other settlements due to Beaver Creek Township pursuant to Ohio Revised Code Section 321.34.

FURTHER BE IT RESOLVED THAT, the Beaver Creek Township Board of Trustees concerning and relating to the adoption of this resolution are being adopted at a duly called and authorized open meeting of the Board of Trustees on the date set forth above, such meeting being duly called pursuant to and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Trustee Dean seconded the motion to adopt the Resolution. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

TRUSTEES

Trustee Wallace reported that Miami Valley Regional Planning Commission (MVRPC) meeting was cancelled.

Administrator Zaharieff reported that MVRPC Technical Advisory Committee agenda had no meeting.

Trustee Kretz reported that the Regional Planning and Coordinating Commission of Greene County (RPCC) had a meeting and recommended for approval both the Beaver Creek Township zoning map amendments for the I-1 to mixed use PUD and aviation support district.

Trustee Dean reported that the Health Department District Advisory Council met and appreciated the help of Beaver Creek Township firefighters with vaccine distribution.

Administrator Zaharieff reported that the School Superintendent, City Manager, and Township Representative committee had no meeting.

Administrator Zaharieff reported that the Wright Patterson AFB Restoration Advisory Board had a meeting and the presentation was shared with the Board. The presentation is available on the Advisory Board website.

Trustee Wallace reported that Greene County Township Association was cancelled.

Trustee Kretz reported that the Investment Oversight Committee has no report.

Zoning Commission Case #818 Hearing

Associate Economic & Zoning Administrator Max McConnell spoke regarding modification of the language for article 19 regarding requirements for permits. If any portion of the improvement fell within an easement, the applicant would need to submit an authorization form from the agency that holds the easement.

Trustee Wallace requested that virtual meetings be held with agencies affected to explain the change.

Associate Economic & Zoning Administrator Max McConnell said that could happen within 30 days if approved by the Board.

Trustee Kretz requested that the word "easement" be changed to "recorded easement" and that wording be included that states that any improvement within a recorded easement may be removed by an easement holder in order to access the easement and the easement holder is not responsible for reimbursement to the property owner for damages resulting from maintenance or other activities within the easement.

Associate Economic & Zoning Administrator Max McConnell said that the former could be changed and the latter could be added to all permits.

Discussion regarding contact information was discussed.

Trustee Wallace opened and closed the public portion of the meeting as there were no citizens there to speak.

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Associate Economic & Zoning Administrator Max McConnell suggested an amendment changing owner/controller to holder.

Trustee Wallace thanked him for the suggestion.

20210111-CD&R-C: A **RESOLUTION** TO AMEND THE TEXT OF THE BEAVERCREEK TOWNSHIP ZONING RESOLUTION, ARTICLE 19, SECTION 3

Trustee Dean moved to adopt the following resolution as amended in Exhibit A:

WHEREAS, The Beaver Creek Township Zoning Commission held a public hearing on December 03, 2020 at which time any and all persons desiring to speak were heard; and

WHEREAS, The Beaver Creek Township Zoning Commission recommended the approval of the proposed Text Amendment as detailed in Zoning Commission Resolution # ZC-20-008; and

WHEREAS, The Greene County Regional Planning and Coordinating Commission reviewed the proposed Text Amendment and the Full Commission passed Resolution #20-10-27-2C which recommends adoption of the Text Amendment; and

WHEREAS, The Beaver Creek Township Board of Trustees held a special hearing on January 11, 2020 at which time any and all persons desiring to speak were heard; **NOW THEREFORE BE IT RESOLVED THAT**, the Board of Trustees of Beaver Creek Township, Greene County, Ohio favorably passed the above Resolution as presented, amending the text of the Township Zoning Resolution as shown in the attached Exhibit A;

FURTHER BE IT RESOLVED THAT, all formal actions of the Board of Trustees concerning and relating to the adoption of this resolution are being adopted at a duly called and authorized open meeting of the Board of Trustees on the date set forth above, such meeting being duly called pursuant to and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Trustee Kretz seconded the motion to adopt the Resolution. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210111-Admin-W: Trustee Kretz made a **MOTION** to adjourn the meeting, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

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APPROVED:



Deborah L. Wallace, Chair

ATTESTED:



Ryan A. Rushing, Fiscal Officer

1-25-2021
Date