

**BEAVERCREEK TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting Minutes
March 8, 2021**

CALL TO ORDER

Board of Trustees Chair Tom Kretz 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 Tom Kretz, Trustee and Vice Chair of the Board Deborah L. Wallace, Trustee Jessica Dean, Fiscal Officer Ryan A. Rushing, Township Administrator Alex Zaharieff, Fire Chief David VandenBos, Road Superintendent Tim Parks, Fire Marshal Randy Grogean, Human Resources Director Trish Gustafson, Sergeant Chris Moore, and Legal Advisor Dawn Frick.

APPROVAL OF THE AGENDA

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

20210308-Admin-A: Trustee Wallace **MOVED** to approve the agenda as presented, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

ACCEPTING FISCAL OFFICE REPORTS

20210308-Admin-B: Trustee Dean **MOVED** to accept the General Ledger Report, in the amount of \$410,754.05, for the 2-24-21 payroll, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210308-Admin-C: Trustee Wallace **MOVED** to approve Payment Listings Report, in the amount of \$361,432.51, for warrants through 3-4-21, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

APPROVAL OF THE MEETING MINUTES

20210308-Admin-D: Trustee Dean **MOVED** to adopt the February 22, 2021 Regular Trustee Meeting Minutes as presented, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

CITIZENS DESIRING TO SPEAK

Trustee Kretz 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

**20210308-Admin-E: A RESOLUTION TO APPROVE REIMBURSEMENTS OF
MEDICARE PARTS B AND D PREMIUMS**

Trustee Dean moved the adoption of the following **RESOLUTION**:

WHEREAS, pursuant to O.R.C. § 505.60 authorizes the Board of Trustees to procure and pay all or any part of the cost of insurance policies that may provide benefits for hospitalization, surgical care, major medical care, disability, dental care, eye care, medical care, hearing aids, prescription drugs, or sickness and accident insurance, or a combination of any of the foregoing types of insurance for township officers and employees; and

WHEREAS, O.R.C. § 505.60 provides further that if any Township officer or employee elects not to participate in the township's health care plan, the township may reimburse the officer or employee for each out-of-pocket premium attributable to the coverage provided for the officer or employee and their immediate dependents for insurance benefits described in O.R.C. § 505.60 that the officer or employee otherwise obtains, but not to exceed an amount equal to the average premium paid by the township for its officers and employees under any health care plan it procures under O.R.C. § 505.60; and

WHEREAS, pursuant to IRS Notice 2015-17 the Township's reimbursement of Medicare Parts B and D premiums does not violate the ACA annual dollar limits because the Medicare Parts B and D reimbursements are integrated with another group health plan in that the (1) the Township offers a group health plan to the officer or employee that does not consist solely of excepted benefits and offers coverage providing minimum value; (2) the officer or employee participating in the employer payment plan is actually enrolled in Medicare Parts A and B; (3) the Township reimbursement payment plan is available only to employees who are enrolled in Medicare Part A and Part B or Part D; and (4) the reimbursement payment plan is limited to reimbursement of Medicare Part B or Part D premiums and excepted benefits, including Medigap premiums.

NOW THEREFORE BE IT RESOLVED THAT, the Board of Township Trustees hereby authorizes the reimbursement of Medicare Part B or Part D premiums and excepted benefits, including Medigap premiums for any township officer or employee that elects not to participate in the Township's health care plan in an amount not to exceed an amount equal to the average premium paid by the Township for its officers and employees under any health care plan it procures under O.R.C. §505.60.

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

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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 Wallace, abstain; Trustee Dean, yes; Trustee Kretz, yes. Motion adopted.

Trustee Wallace asked Fiscal Officer Rushing how he felt about the proposed resolution regarding the establishment of a finance department.

Fiscal Officer Rushing replied that he is in complete agreement with the proposed resolution.

20210308-Admin-F: A RESOLUTION TO ESTABLISH A FINANCE DEPARTMENT UNDER THE TOWNSHIP ADMINISTRATOR

Trustee Wallace moved the adoption of the following **RESOLUTION**:

WHEREAS, Ryan A. Rushing took office on April 1, 2020 as the Beaver Creek Township Fiscal Officer; and

WHEREAS, at the April 1, 2020 Board of Trustees meeting, Resolution 20200401-C was enacted adopting the job description for the Fiscal Office positions – Financial Manager, Accounts Payable Specialist, Payroll Specialist and Assistant to the Fiscal Officer Job Descriptions; and

WHEREAS, the Fiscal Officer followed the established human resources process and advertised, interviewed, and reviewed applicants for the position of Assistant to the Fiscal Officer – Accounts Payable Specialist, and Payroll Specialist; and

WHEREAS, at the August 24, 2020 Board of Trustees meeting, Resolution 20200824-L and 20200824-M was enacted adopting the hiring and compensation for the position of Assistant to the Fiscal Officer – Accounts Payable Specialist, and Payroll Specialist; and

WHEREAS, due to a vacancy the Fiscal Officer followed the established human resources process and advertised, interviewed, and reviewed applicants for the position of Assistant to the Fiscal Officer – Financial Manager; and

WHEREAS, at the December 14, 2020 Board of Trustees meeting, Resolution 20201214-S was enacted adopting the hiring and compensation for the position of Assistant to the Fiscal Officer – Financial Manager; and

WHEREAS, pursuant to O.R.C. 505.032 permits the Board of Trustees which has appointed a Township Administrator to assign to such Administrator any office, position, or duties under its control; and

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WHEREAS, the Board of Trustees and the Fiscal Officer agree that a Finance Department be established under the Township Administrator.

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Trustees and Fiscal Officer agree:

Section 1: Adopt the Beaver Creek Township Organizational Structure Exhibit A

Section 2: The Township Administrator shall amend the job description for the Fiscal Office positions – Assistant to the Fiscal Officer-Financial Manager, Assistant to the Fiscal Officer- Accounts Payable Specialist, and Assistant to the Fiscal Officer-Payroll Specialist to Finance Director, Accounts Payable Specialist, and Payroll Specialist to reflect the new Township Organizational Structure.

Section 3: The current staff and compensation for the Fiscal Office positions shall be adopted by the Township Administrator for the Finance Department.

Section 4: The Finance Department staff shall be required as part of their job description to work cooperatively and communicate with the Fiscal Officer and the Assistant to the Fiscal Officer in maintaining accurate records of all accounts and transactions in the Township.

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

GREENE COUNTY SHERIFF'S OFFICE

Administrator Zaharieff presented the bi-weekly activity report.

HUMAN RESOURCES

Administrator Zaharieff presented a policy suggested by OTARMA and the prosecutor's office.

20210308-HR-A: Trustee Dean **MOVED** to approve the Lactation Breaks Policy as presented, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Administrator Zaharieff presented the bi-weekly activity report.

Trustee Wallace asked how Bamboo HR is working.

HR Director Gustafson said that the program is working, and it is nice to have everything in one location.

COMMUNITY DEVELOPMENT AND RISK

20210308-CDR-A: Trustee Wallace **MOVED** to appoint Kristin Horton to the Zoning Commission in the role of Commission Member, with term to begin March 31, 2021 and to end March 30, 2026, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Wallace, yes; Trustee Dean, yes; Trustee Kretz, yes. Motion adopted.

20210308-CDR-B: Trustee Dean **MOVED** to appoint John Thomas to the Board of Zoning Appeals in the role of Board Member, with term to begin March 31, 2021 and to end March 30, 2025, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Wallace, yes; Trustee Dean, yes; Trustee Kretz, yes. Motion adopted.

20210308-CDR-C: Trustee Wallace **MOVED** to appoint Andrew Peed to the Board of Zoning Appeals in the role of Board Member, with term to begin March 31, 2021 and to end March 30, 2023, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Wallace, yes; Trustee Dean, yes; Trustee Kretz, yes. Motion adopted.

20210308-CDR-D: Trustee Dean **MOVED** to appoint Emil Martinsek to the Board of Zoning Appeals in the role of Board Member, with term to begin March 31, 2021 and to end March 30, 2023, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Wallace, yes; Trustee Dean, yes; Trustee Kretz, yes. Motion adopted.

Administrator Zaharieff presented the bi-weekly report.

INFORMATION TECHNOLOGY

20210308-IT-A: A RESOLUTION FINDING CERTAIN TOWNSHIP EQUIPMENT TO BE SURPLUS AND TO DISPOSE OF IT

Trustee Wallace moved the adoption of the following **RESOLUTION:**

WHEREAS, the Ohio Revised Code §505.10(A) authorizes the Board to determine when property, equipment, and tools are not needed for public use, obsolete or are unfit for the use for which they were acquired; and

WHEREAS, the Board is also authorized to sell, or otherwise dispose of, that property in accordance with that section of the O.R.C.; and

WHEREAS, the Board accepts the Township Administrator's recommendation for disposition of the property identified below, and declare it surplus,

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NOW THEREFORE BE IT RESOLVED THAT the Board of Beaver Creek Township Trustees, hereby declare the equipment listed below as not needed for public use:

BTFD-007589 Chief Brewer's Microsoft Surface

FURTHER BE IT RESOLVED THAT the Township Administrator is authorized to sell that item, or otherwise dispose of it, in accordance with Township policy and practice; and

FURTHER BE IT RESOLVED THAT any proceeds resulting from the sale or disposition of that equipment be credited to the Fire Fund (2192); and

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

TA Zaharieff presented the bi-weekly report.

Trustee Wallace thanked Perigon IT for their dedicated response during the shutdown.

ROAD DEPARTMENT

Administrator Zaharieff presented the bi-weekly report.

Trustee Wallace asked if we have surplus on salt.

Road Superintendent Parks responded we are going to have surplus if the weather holds.

Trustee Kretz asked if the barn will be full once what is ordered is delivered.

Road Superintendent Parks responded it will not be full.

FIRE DEPARTMENT

Fire Chief VandenBos gave an update on Fire Station 65 related to change orders, weather delays, and expenses. There have been no major changes regarding the COVID-19 impact, but we are well-situated regarding supplies. He also noted that the Fire Auxiliary has been stepping up at the vaccination site, our fire training week, and other events and are really doing a great job.

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Trustee Wallace thanked the Fire Auxiliary for their dedication.

LEGAL ADVISOR

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

FISCAL OFFICER

Fiscal Officer Ryan Rushing noted that there has been a lot of activity since the last meeting including another settlement of real estate taxes from the Greene County Auditor. Permanent Appropriations will be available for the Board of Trustees at the next meeting.

TRUSTEES

Trustee Wallace reported that Miami Valley Regional Planning Commission (MVRPC) met last week to elect officers.

Administrator Zaharieff reported that MVRPC Technical Advisory Committee agenda had a meeting, and the agenda will be included in the next packet.

Trustee Kretz reported that the Regional Planning and Coordinating Commission of Greene County (RPCC) met regarding two replats and a zoning map amendment.

Trustee Dean reported that the Health Department District Advisory Council will have a meeting mid-March.

Administrator Zaharieff reported that he has had no meetings with the school superintendent or city planner but will be meeting with county commissioners and the Greene County Engineer regarding the Trebein/Valley/US-35 interchange project. The superstreet project is on schedule.

Administrator Zaharieff reported that the Wright Patterson AFB Restoration Advisory Board had a no meeting.

Trustee Wallace reported that Greene County Township Association is meeting tomorrow and touring the Greene County Career Center.

Trustee Kretz and Fiscal Officer Rushing reported that the Investment Oversight Committee met and spoke about projected investment revenue this year.

Trustee Kretz recognized International Women's Day and thanked all women.

Trustee Wallace thanked TA Zaharieff for updating social media with what is happening in the Township and keeping citizens informed.

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EXECUTIVE SESSION

20210308-Admin-G: Trustee Dean **MOVED** to enter Executive Session pursuant to Ohio Revised Code section 121.22(G)(2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

20210308-Admin-H: Trustee Wallace made a **MOTION** to come out of Executive Session, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

20210308-Admin-I: Trustee Dean made a **MOTION** to adjourn the meeting, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

APPROVED:



Tom Kretz, Chair

ATTESTED:



Ryan A. Rushing, Fiscal Officer

3-22-2021
Date