

**BEAVERCREEK TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting Minutes
July 12, 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 Debborah 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 Grogan, Human Resources Director Trish Gustafson, Sergeant Chris Moore, Associate Economic and Zoning Administrator Max McConnell, Finance Director Teri Molden, and Legal Advisor Dawn Frick.

APPROVAL OF THE AGENDA

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

Township Administrator Alex Zaharieff requested to add an executive session before the meeting is adjourned.

20210628-Admin-A: Trustee Wallace **MOVED** to approve the agenda as amended, 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

20210628-Admin-B: Trustee Dean **MOVED** to accept the General Ledger Report, in the amount of \$377,714.07, for the 6-30-21 payroll, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210628-Admin-C: Trustee Wallace **MOVED** to approve Payment Listings Report, in the amount of \$603,676.86, for warrants through 7-8-21, 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

20210628-Admin-D: Trustee Wallace **MOVED** to adopt the June 28, 2021 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.

CITIZENS DESIRING TO SPEAK

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

PRESCHEDULED SPEAKER

Marty Heidi from Congressman Mike Turner's office spoke regarding FEMA claims for COVID-19 funeral assistance program. Expenses can be claimed for reimbursement up to \$9,000.

Cortney Ley from Wright State University Master of Public Administration Program presented her graduate research project regarding funding a bike path on Trebein Rd. (The report can be found here:
https://www.beavercreektownship.org/AgendaCenter_

OLD BUSINESS

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

NEW BUSINESS

20210712-Admin-E: Trustee Wallace **MOVED** to cancel the July 26, 2021, Regular Trustee Meeting, seconded by Trustee Dean. 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 report.

HUMAN RESOURCES

Administrator Zaharieff presented the bi-weekly activity report.

COMMUNITY DEVELOPMENT AND RISK

Administrator Zaharieff presented the bi-weekly report.

Trustee Wallace asked for clarification on sidewalks that were approved that are now not going to be built.

Mr. McConnell explained that the proposed sidewalks would lead to nowhere and were eliminated.

INFORMATION TECHNOLOGY

Administrator Zaharieff presented the bi-weekly activity report.

ROAD DEPARTMENT

202107-12-Road-A: A RESOLUTION FINDING CERTAIN TOWNSHIP EQUIPMENT TO BE SURPLUS AND TO DISPOSE OF IT

Trustee Dean **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 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 Staff's recommendation for the property identified in attachment A and declare it surplus

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Beaver Creek Township, Greene County, Ohio hereby declare the equipment as not needed for public use; and

FURTHER BE IT RESOLVED that the Township is authorized to sell those items, or otherwise dispose of them, in accordance with Township policy and practice; and

FURTHER BE IT RESOLVED that any proceeds resulting for the sale or disposition of the equipment be credited to the Road and Bridge Fund (2031-002-951-0000) Sale of Fixed Assets.

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

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Administrator Zaharieff presented the bi-weekly report.

Trustee Wallace complimented the new fences.

FIRE DEPARTMENT

20210712-Fire-A: Trustee Wallace **MOVED** to approve purchase request 21-FIRE-0956 to CSC Service Works for Station 65 Turn Out Gear Washer in the amount of \$11,303.27, and to authorize the Township Administrator to sign for the Board, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

20210712-Fire-B: Trustee Dean **MOVED** to approve purchase request to 21-FIRE-0958 to P&R Communications for Station 65 Tower erection, project management, and grounding in the amount of \$92,625.00, and to authorize the Township Administrator to sign for the Board, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

Trustee Kretz asked what the amount of the grant was.

Chief VandenBos replied that it was \$405,750.00 and a 10% match required.

20210712-Fire-C: Trustee Wallace **MOVED** to approve purchase request to 21-FIRE-0888 to Finley Fire Equipment, DBA: Atlantic Emergency Solutions for SCBA, associated equipment, and SCBA Fill Station in the amount of \$812,327.25 and to authorize the Township Administrator to sign for the Board, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

20210712-Fire-D: Trustee Dean **MOVED** to approve purchase request to 21-FIRE-0889 to Fire and Marine Inc. for SCBA mounting in medic Units in the amount of \$9,415.00 and to authorize the Township Administrator to sign for the Board, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

20210712-Fire-E: A RESOLUTION FINDING CERTAIN TOWNSHIP EQUIPMENT TO BE SURPLUS AND AUTHORIZING THE FIRE CHIEF 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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Beaver Creek Township Trustees, hereby declare the apparatus:

1. Inventory ID: 007171 (2002 Horton, VIN 1HTMNAAMX2H545740)
2. Inventory ID: 006007 (1998 Freightliner, VIN 1FV3EFAC5WH919078) as unfit for the use for which they were acquired; and

FURTHER BE IT RESOLVED that the Fire Chief is authorized to sell the items, or otherwise dispose of them, 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).

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

Administrator Zaharieff presented the bi-weekly report.

LEGAL ADVISOR

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

FISCAL OFFICER

Fiscal Officer Rushing presented information regarding Beaver Creek Township's entitlement to the American Rescue Act fund. He discussed appropriate uses, amounts, and revenue loss.

20210712-FIN-A: A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE "AMERICAN RESCUE PLAN ACT FUND."

Trustee Dean **MOVED** the adoption of the following Resolution.

WHEREAS, the American Rescue Plan Act of 2021 (ARP) was signed into law on

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March 11, 2021; and

WHEREAS, the ARP provides monetary relief to address the continued impact of COVID-19 on public health, economy, state and local governments, individuals, and businesses; and

WHEREAS, part of the ARP stimulus is \$350 billion in funding to state and local governments; and

WHEREAS, the Governor of the State of Ohio signed HB 168, providing \$422 million in appropriations for non-entitlement units of local government under the American Rescue Plan Act of 2021; and

WHEREAS, the Beavercreek Township is classified as a Non-Entitled Unit (NEU) by the ARP and is an allowable local government to received ARP funds; and

WHEREAS, the Federal Funding Accountability and Transparency Act (FFATA) requires separate accounting, usually through use of separate funds, for direct and subrecipients of federal awards greater than \$25,000; and

WHEREAS, Ohio Revised Code Section 5705.09 requires political subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax that requires to be used for a particular purpose, including federal programs; and

WHEREAS, Ohio Revised Code Section 5705.12 further requires the taxing authority of a political subdivision to establish, with the approval of the Auditor of State, a separate fund for money derived from specified sources other than the general property tax; and

WHEREAS, the Auditor of State has approved taxing authorities to establish the separate funds required for separate accountability of federal programs upon adoption of a local resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAJORITY MEMBERS OF THE BEAVERCREEK TOWNSHIP BOARD OF TRUSTEES, THAT:

Section 1: The Fiscal Officer is hereby authorized to establish an "American Rescue Plan Act Fund" for the purposes to account for revenues and expenditures related to funds received by the Municipality through the American Rescue Plan Act of 2021.

Section 2: This Board affirms that all funds received pursuant to the American Rescue Plan Act of 2021 and deposited into said American Rescue Plan Act Fund will be accounted and expended with the requirements of the ARP and any other applicable law, regulations, and guidance.

Section 3: The Fiscal Officer is hereby authorized to establish any policies and

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procedures for the proper use of the American Rescue Plan Act Fund and submit any documentation necessary to receive and report on the ARP.

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 Wallace 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 had no report from Miami Valley Regional Planning Commission (MVRPC).

Administrator Zaharieff had no report for MVRPC Technical Advisory Committee.

Trustee Kretz reported that the Regional Planning and Coordinating Commission of Greene County (RPCC) has an executive committee meeting to interview a new candidate tomorrow. Bellbrook has requested a code enforcement contract.

TA Zaharieff substituted in for Trustee Dean on the Health Department District Advisory Council. County health department passed a resolution for members of the BTFD who donated time at the vaccination clinic.

Administrator Zaharieff reported that he met with the city planner and would like to plan a joint meeting September 20th.

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

Trustee Wallace has a meeting for Greene County Township Association tomorrow.

EXECUTIVE SESSION

20210712-Admin-F: Trustee Dean **MOVED** to enter Executive Session pursuant to Ohio Revised Code section 121.22(G)(1) to consider the employment and compensation of a public employee, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, yes; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

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20210712-Admin-G: Trustee Wallace **MOVED** 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.

20210712-Admin-H: A RESOLUTION TO ASSIGN DUTIES TO TOWNSHIP ADMINISTRATOR PURSUANT TO O.R.C. 505.032

Trustee Dean **MOVED** the adoption of the following Resolution:

WHEREAS, the Board of Trustees of Beaver Creek Township, Greene County, Ohio has appointed a Township Administrator pursuant to Section 505.031 of the Ohio Revised Code; and

WHEREAS, Section 505.032 of the Ohio Revised Code permits a Board of Trustees which has appointed a Township Administrator to assign to such Administrator any office, position, or duties under its control; and

WHEREAS, the Board of Trustees of Beaver Creek Township is of the opinion that assigning certain duties under its control to its Township Administrator would be more economical, would result in a more efficient use of Township resources and would allow for a more timely resolution of matters which arise during the day-to-day operations of the Township; and

WHEREAS, the performance of any such office, position or duty by the Township Administrator would remain under the direction and control of the Board of Trustees.

NOW THEREFORE BE IT RESOLVED THAT, in addition to the tasks to be performed by the Township Administrator, as required by Section 505.032 of the Ohio Revised Code, the Board of Trustees, in accordance with Section 505.032 of the Revised Code, hereby assigns the following additional duties under its control to the Township Administrator:

- The Township Administrator shall appoint all employees necessary for the efficient operation of the Township, except for the any position appointed by Fiscal Officer, and fix their compensation in accordance with the Compensation and Reward Policy Section III Number 10 or any collective bargaining agreement (s). Prior to the employment of a Township Department Head, the Township Administrator shall receive the consent of the Board of Trustees. The final candidate (s) will be presented to the Board of Trustees for hire. At the annual Board of Trustee reorganization meeting the Township Administrator shall provide an authorized staffing level for each department.

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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.

Discussion between the Trustees and TA Zaharieff ensued.

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

20210712-Admin-I: Trustee Wallace **MOVED** 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.

APPROVED:



Tom Kretz, Chair

ATTESTED:



Ryan A. Rushing, Fiscal Officer

8-9-2021
Date

