

**BEAVERCREEK TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting Minutes
September 27, 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, 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.

20210927-Admin-A: Trustee Dean **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

20210927-Admin-B: Trustee Wallace **MOVED** to accept the General Ledger Report, in the amount of \$394,056.85, for the 9-22-21 payroll, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

20210927-Admin-C: Trustee Dean **MOVED** to accept the General Ledger Report, in the amount of \$378,546.30, for the 9-27-21 payroll, seconded by Trustee Dean. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

APPROVAL OF THE MEETING MINUTES

20210927-Admin-D: Trustee Wallace **MOVED** to adopt the September 13, 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.

PRE-SCHEDULED SPEAKER

Dennis Eng, Director of the Greene County Agencies for Combined Enforcement, ACE Task Force, introduced himself and spoke about changes, funding, and additional resources for the Task Force.

Trustee Kretz asked TA Zaharieff to look into funds allocated to aid the ACE Task Force and come up with numbers for the Board to look at next meeting. He also invited Mr. Eng back for the next meeting to hear the results of the funding allocation.

TA Zaharieff also noted that the opioid settlement effort agreed to at a prior meeting might aid the task force but the amount from that settlement is still unknown at this time although preliminary numbers have come out.

OLD BUSINESS

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

NEW BUSINESS

20210927-Admin-E: A RESOLUTION TO RECOGNIZE OCTOBER AS NATIONAL DOMESTIC VIOLENCE MONTH

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

WHEREAS, domestic violence in America is intolerable, unacceptable, must be stopped and deserves considerable public attention; and

WHEREAS, children who witness domestic violence often grow up believing that physical cruelty in relationships is acceptable behavior; and thus, they tend to perpetuate a cycle of violence in society; and

WHEREAS, many Federal, State, and local programs addressing the domestic violence problem have achieved success, bringing greater safety to families; and

WHEREAS, community leaders, police, judges, advocates, healthcare workers, and concerned Americans are working together across America to develop solutions to this serious problem and to implement services that will improve our responses when it occurs; and

WHEREAS, programs designed to educate men and women about ways they can help prevent domestic violence are being developed across our Nation; and

WHEREAS, numerous law enforcement officials and departments have created

specialized domestic violence units that cooperate with community advocates to enhance services for victims and representatives from the faith community frequently provide essential support in areas where there may be no other services available; and

WHEREAS, we must continue to hold domestic abusers accountable, punish them to the full extent of the law and prevent them from inflicting more abuse;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of Beavercreek Township, Greene County, Ohio, do hereby proclaim October 2021, as Domestic Violence Awareness Month in Beavercreek Township and call on all citizens to recognize this important event.

In witness thereof, we have here unto set our hand and caused the SEAL of Beavercreek Township to be affixed this 27th day of September in the year 2021.

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.

20210927-Admin-F: A RESOLUTION OF SUPPORT AND AUTHORIZATION FOR THE BEAVER CREEK WETLAND ASSOCIATION'S WETLAND RESTORATION AND GRANT APPLICATION

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

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for water quality improvement projects, through the Ohio River Basin H2Ohio Wetland Grant Program.

WHEREAS, the Beaver Creek Wetlands Association strives to protect and enhance the Beaver Creek Wetlands Corridor, our local natural resource, that provides protection of the local drinking water supply, protection against flooding, and a recreational and educational destination.

WHEREAS, the Beaver Creek Wetlands Association desires H2Ohio funding to enter a long-term lease and perform hydrologic restoration of wetlands on 30 acres of hydric soils currently used for farming.

WHEREAS, the property is located in Beavercreek Township, identified as Parcel ID: B03000200310001200.

WHEREAS, the Beaver Creek Wetlands Association agrees to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Ohio River Basin H2Ohio Wetland Grant Program.

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

1. Hereby support the Beaver Creek Wetlands Association plan to lease and restore hydric soil to wetlands in Parcel B03000200310001200 thereby reducing farm pollutant runoff to the Beaver Creek and ultimately the Little Miami River, increasing flooding resiliency of the surrounding area, and improving overall riparian water quality as well as improving water quality of the Little Miami Buried Valley Aquifer.
2. Hereby authorizes the Beaver Creek Wetlands Association to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding.

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.

GREENE COUNTY SHERIFF'S OFFICE

Administrator Zaharieff presented the bi-weekly report.

Trustee Kretz thanked the Sheriff's Office for their help.

HUMAN RESOURCES

Administrator Zaharieff presented the bi-weekly activity report.

COMMUNITY DEVELOPMENT AND RISK

Administrator Zaharieff presented the bi-weekly activity report.

Trustee Wallace asked if there were continuing problems with pool compliance.

Fire Marshal Grogean stated that any previous issues has been resolved without seeking legal relief.

INFORMATION TECHNOLOGY

Administrator Zaharieff presented the bi-weekly activity report.

Trustee Kretz asked for a reminder of the service agreement terms. He also asked if staff is still satisfied with service level.

TA Zaharieff replied that it was a 3-year agreement and all internal stakeholders are satisfied.

ROAD DEPARTMENT

20210927-Road-A: Trustee Dean **MOVED** to approve purchase request (VIP 21-Road-0288) to D.J.L. Material & Supply, INC. for 22,500 lbs. of Crafcoc Sealant in the amount of \$13,500.00, and to authorize the Township Administrator to sign for the Board, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Trustee Wallace noted that these grants are time sensitive and appreciates staff working diligently on them.

Road Superintendent Tim Parks noted that tonight the big picture is being presented but not all three roads may be able to be done. The official items will be brought back to the next meeting.

20210927-Road-B: A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL FAST ACT FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

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

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and,

WHEREAS, the Beaver Creek Township Trustees have committed to a timely project development schedule: and,

WHEREAS, the Beaver Creek Township Trustees will commit the necessary resources to support the estimated local cost portion of the projects and the following project will be submitted to MVRPC, shown in order of the Beaver Creek Township Trustee's priority:

1. CRRSAA/STP Resurfacing program (Orchard, Yellowbrick and Factory resurfacing project)- Estimated Local Share not to exceed \$165,000

WHEREAS, the Beaver Creek Township Trustees request the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding applications:

1. Resurfacing (Exemption 4)- Where the project consists of maintenance, repair or

resurfacing of an existing cross-section only. (Cyclist and pedestrian exemption)

NOW, THEREFORE, BE IT RESOLVED, this Resolution shall serve to authorize the transmittal and submittal of applications for the following transportation projects to MVPRC for funding consideration in the Transportation Improvement Program (TIP): 1. The Orchard, Yellowbrick and Factory Road resurfacing project

FURTHER BE IT RESOLVED, the Township Administrator is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under review. The Township Administrator is further directed and authorized to cause compliance with all reporting requirements by the Miami Valley Regional Planning Commission (MVPRC) as required as part of the funding process; and,

FURHER BE IT RESOLVED, upon application approval the Township hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVPRC; 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 Dean, yes; Trustee Kretz, yes; Trustee Wallace, yes. Motion adopted.

Administrator Zaharieff presented the bi-weekly report.

Trustee Wallace asked for an update on the cemetery.

Alternative funding is being looked at and no plots are currently being sold. Staff will make a recommendation soon.

Trustee Kretz asked for a look to see if there was a spike in burials from COVID and to look at projections for burials in the next ten years.

Mr. Parks said we are currently down in burials compared to last year and most people are choosing cremation.

FIRE DEPARTMENT

20210927-Fire-A: FIRE PREVENTION WEEK PROCLAMATION

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

WHEREAS, the Beaver Creek Township Fire Department is committed to ensuring the safety and security of all those living in and visiting Beaver Creek; and

WHEREAS, fire departments in the United States responded to over 330,000 home fires resulting in more than 2,770 civilian deaths in 2019, according to the National Fire Protection Association (NFPA); and

WHEREAS, working smoke alarms sense smoke well before you can, alerting you to danger in the event of fire and potentially cutting the risk of dying in reported home fires in half; and

WHEREAS, Beaver Creek residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond, make sure their smoke and CO alarms meet the needs of all their family members, including those with sensory or physical disabilities and plan and practice a home fire escape plan; and

WHEREAS, Beaver Creek Township Fire Department first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Beaver Creek residents are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2021 Fire Prevention Week theme, "Learn the Sounds of Fire Safety", effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

NOW, THEREFORE BE IT PROCLAIMED THAT, we, the Board of Trustees of Beaver Creek Township do hereby proclaim October 3–9, 2021, as Fire Prevention Week throughout Beaver Creek and urge all the people of Beaver Creek to "Learn the Sounds of Fire Safety" for Fire Prevention Week 2021 and to support the many public safety activities and efforts of the Beaver Creek Township Fire Department.

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.

Administrator Zaharieff presented the bi-weekly report.

Trustee Dean

LEGAL ADVISOR

No report at this time.

FISCAL OFFICER

No report at this time.

TRUSTEES

Trustee Wallace reported from Miami Valley Regional Planning Commission (MVRPC), is moving forward on finding a diversity employee.

Administrator Zaharieff had no report for MVRPC Technical Advisory Committee.

Trustee Kretz reported that the Regional Planning and Coordinating Commission of Greene County (RPCC) had an executive committee meeting last week and the full commission meets next week. River West will be discussed.

Trustee Dean reported on the Health Department District Advisory Council, had no meeting.

Administrator Zaharieff reported that he will be meeting with the city manager and has no meeting scheduled with the superintendent.

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

Trustee Wallace has meeting for Greene County Township Association meets October 12th.

Trustee Kretz and Ryan Rushing noted that the Investment Oversight Committee has no report.

A recess was taken until the 6:30 zoning hearing.

ZONING COMMISSION CASE #824

The purpose of the hearing is so the Trustees may review and act on a recommendation from the Beavercreek Township Zoning Commission for Case # 824: an application from Artisan Communities, LLC, with the approval of the property owners Kerwin Blue, LLC and Kerwin Yellow, LLC for approval of a Specific Site Plan for a residential subdivision. The Zoning Commission recommended the Specific Site Plan during a hearing held September 2, 2021. The proposed facility is to be located on a new 55.95-acre parcel within the Stonehill Village Master Planned Community, on the north side of Dayton-Xenia Rd. east of the intersection with Trebein Rd. The current

Greene County Parcel I.D. numbers are B03000200430015600; B03000200430015000; and B03000200440001500.

Trustee Wallace noted that Trustee Kretz has recused himself from the Zoning Case #824 due to a potential conflict of interest.

Associate Economic and Zoning Administrator Max McConnell spoke about the zoning case and gave the staff recommendation to approve the proposal with conditions.

Trustee Wallace asked the applicant to speak.

Seth Barrett of Artisan Communities introduced Dan Armbruster and Mike Reeves to the Trustees. He spoke about the uniqueness of the proposed community.

Bob Nutter, 925 Hilltop Rd., wanted to thank Artisan Communities and spoke about his family legacy.

Trustee Wallace opened the microphone for public comments. As there were none, the public portion of the meeting was closed.

Trustee Dean asked about the site plan.

Trustee Wallace expressed her appreciation of the planned community and this specific housing stock. It is encouraging to see this type of planned community and is a type of housing stock missing in the Beaver creek community.

Discussion regarding the planned community and its role in Beaver creek were discussed.

20210927-ZC-A: A RESOLUTION TO APPROVE THE SITE PLAN OF “THE COURTYARDS”, A RESIDENTIAL SUBDIVISION WITHIN THE STONEHILL VILLAGE PLANNED UNIT DEVELOPMENT, ZONE 2

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

WHEREAS, The Beaver creek Township Zoning Commission held a public hearing on September 2, 2021 at which time any and all persons desiring to speak were heard; and

WHEREAS, The Beaver creek Township Zoning Commission recommended approval of the proposed Site Plan for “The Courtyards” as detailed in Resolution #ZC-21-009; and

WHEREAS, The Beaver creek Township Board of Trustees held a public hearing on September 27, 2021 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,

approving the proposed Site Plan for the residential subdivision known as "The Courtyards" within Zone 2 of the Stonehill Village Planned Unit Development with the following conditions:

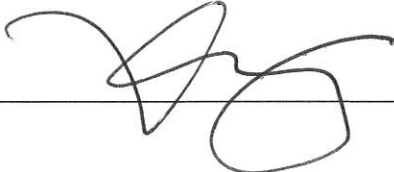
- 1) Final approval is subject to the approval of the Greene County Regional Planning and Coordinating Commission. The site plan's final engineering shall meet all Greene County subdivision regulations.
- 2) Any modifications to the proposed site plan resulting from final engineering during the County subdivision approval process shall be considered Incidental Modifications as outlined in Article 17.11.3 of the Township Zoning Resolution.
- 3) The recorded site plan filed with the Greene County Regional Planning and Coordinating Commission, also known as the Record Plan, shall serve as the revised site plan in the event of any Incidental Modification made due to changes requested during the County subdivision approval process.
- 4) Final approval is subject to approval by any agency or entity with review authority.

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, absent; Trustee Wallace, yes. Motion adopted.

20210927-Admin-G: Trustee Dean **MOVED** to adjourn the meeting, seconded by Trustee Wallace. Fiscal Officer Rushing called the roll: Trustee Kretz, absent; Trustee Dean, yes; Trustee Wallace, yes. Motion adopted.

APPROVED:



Tom Kretz, Chair

ATTESTED:



Ryan A. Rushing, Fiscal Officer

10-11-2021
Date