

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on March 18, 2013, at 7:00 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.

1. Mr. Pittman called the session to order at 7:00 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Tiffany called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. Mr. Hodson was absent. Others present who signed in were Joan Gallagher, Donna Hellman, Jim Martin, Lois Fink, Rosemarie Driver, Howard Ackerman

Mr. Pittman invited Chief Mark Reis of Riverside Police Department forward to present Chief Mike Brown with a plaque of recognition for his dedicated service to the City of Riverside.

Mr. Tiffany brought to the attention of the Trustees that there was a third Resolution for the meeting which was not listed on the final Agenda. This Resolution is to appoint Mrs. Joan Gallagher to the Board of Zoning Commission.

4. Mr. Pittman inquired about any Community Activities. The Sugar Maple Festival will be held April 19-21. Mrs. Gallagher gave an update on the progress of the planning of the Festival.

Chief Pavlak gave information about the Bellbrook Wee Eagles fundraiser to be held on April 13. This will raise money to purchase helmets for the baseball team. Tickets are available for purchase.

Mrs. Daugherty discussed the upcoming Tecumseh Land Trust 14th Anniversary Celebration. Krista Magaw sent information. The Trustees will look at the information to see if they are able to participate.

5. Reports

A. Administration

Mr. Tiffany discussed that while at the Township Association Meeting last week, Mr. Bob Geyer spoke about County maintained culverts (over 24"). The Township has been inspecting both ours and the County's culverts. Mr. Bryant asked about the result of the culvert inspection. Mr. Tiffany said the County maintains the pipe, the Township maintains the inlets to make sure they are clear. Mr. Geyer said a culvert east of Eagle Rise, with water line on top of it, was found to be completely rotted. This will be a major repair and the road will have to be closed to replace culvert. Mr. Geyer is going to wait and use Issue 2 monies.

B. Fiscal Office

Mr. Hodson was absent. Mr. Tiffany gave a short update on Mr. Hodson.

C. Fire

Chief Pavlak stated E-74 continues to be a challenge and is now at Freightliner in Cincinnati. Mr. Bryant asked about the budget numbers. Chief Pavlak shared that because of all the one-time payments that are made at the beginning of the year the budget is a little above where it is supposed to be. Once those payments are made, the budget will get back in line. Candidate testing is done with good results, and will be interviewing for full-time shifts. Mr. Bryant inquired about Department Head reports not being easily found on the web-site. Mrs. Tilford noted the reports location would be changed and put where they used to be.

D. Police

Chief Brown shared that a \$2000.00 donation was received from WalMart Foundation which, in the past, has been used for Shop With A Cop. Chief Brown also said the Full-time Officer position has been posted.

E. Roads and Services

Mr. Tiffany indicated that, because of the mild winter, we have plenty of road salt in the salt shed which helped our budget. He stated the Roads crew is doing very well, getting work done. Mrs. Daugherty asked about seasonal workers. Mr. Tiffany expressed the need for a strategy to keep seasonal workers. Mr. Pittman complimented the Service workers for having just one hour of overtime for snow removal. Mr. Tiffany praised the Roads Department for their dedication and commitment to the Township, and their willingness to flex their time and work together to get the job done during snow events. Mr. Pittman stated that we have a good Roads crew. Mr. Bryant said that is the reason we have gone without a Director for so long, and that he appreciates the spring project schedule which gives an idea of where they will be working the next few months. Mr. Tiffany reminded everyone that the spring project schedule is open to change. Mr. Pittman mentioned that trash was dumped on Carpenter Road. Mr. Tiffany stated the Roads crew already took care of that issue. Mr. Pittman asked that, in addition to the trash that has already been picked up in the Township, the trash be picked up on Carpenter Road.

F. Zoning

Mrs. Tilford shared we have requested one more reimbursement from ODOT for first phase infrastructure project which will cover the completion of engineering & the right of way. Safe Routes to School construction begins in July and will be completed in time for school to start in August. Mrs. Tilford stated that she would get with Kleingers and have the issue with the marker flags be addressed. Kleingers will complete feasibility study in May. Mrs. Daugherty asked about the report from recent BZA activity.

G. Information Technology Service

Mr. Zappanti had no report at this time.

H. Trustees

Mrs. Daugherty attended the Township Association Meeting and has plans to attend the Greene County Health District Meeting on Tuesday.

Mr. Bryant attended the MVRPC Meeting. He also attended the Township Association Meeting. He and Chief Pavlak had a meeting with Greg Horn and Police Chief Bruce Roberts from Centerville. They had good conversation about them potentially taking over dispatch. There are issues that need to be addressed, so it is not a slam-dunk at this point. They are very open to that and it was a positive meeting and will have continued dialogue with them. Mr. Pittman encouraged Mr. Tiffany and Mr. Bryant to address issues concerning dispatch.

Mr. Pittman attended the Township Association Meeting and said Mike DeWine spoke and shared there is a lawsuit in the works with salt supplier regarding collusion. Mr. Pittman said Mr. Geyer also spoke about sign retro-reflectivity. Mr. Tiffany said that the original 2013 deadline to have the sign project completed was changed and it is currently on a replace the signs as you need basis. Mr. Pittman will attend the Greene County Regional Planning Meeting this week.

7. **Old Business**

Mr. Pittman asked about parking at White Fence Farms. Mr. Tiffany stated Chief Pavlak was able to get a list of resident contact information. He said there seems to be a dis-connect between the HOA, the management company for the HOA, and the residents of White Fence Farm. The good news is that the snow season has passed and we did not have any issues this season. The parking issue, with the last snowfall, proved to be better because word got around to move vehicles off the street. The Trustees agreed to remove it from the Old Business Agenda. Mrs. Daugherty asked if this was more of a fire/emergency issue and not a snow issue. Chief Pavlak said because of the secondary access from Toll Gate, there is not as much of an emergency issue. Mr. Pittman brought up County-wide communications, which was talked about in the Work Session and, because of time constraints, is a top priority at this time. We are making good progress and he appreciates the input from Department heads and employees.

8. **New Business**

Fiscal Office

A. Approval of Minutes

Mr. Bryant moved to approve the minutes for the Work Session and the Regular Session. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mrs. Daugherty – Yes
Mr. Pittman – Yes

B. Payment of Bills

Mrs. Daugherty moved to approve the payment of bills as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant - Yes
Mrs. Daugherty – Yes
Mr. Pittman - Yes

Mr. Bryant asked that Mr. Hodson present the Payment of Bills Report in an Excel file.

C. Year 2013 Permanent Appropriations – 2013.03.18.01

Resolution# 2013.03.18.01

WHEREAS, the Board of Trustees has a duty under law to adopt and maintain a balanced budget; and,

WHEREAS, this Board, along with the Fiscal Officer and Township Administrator, have examined the estimate of revenues as presented by the Greene County Budget Commission; and,

WHEREAS, it is evident the proposed 2013 Appropriations for each Fund do not exceed estimated revenues, which may include 2012 carryovers and additional income, as certified to the Greene County Auditor's Office by the Township Fiscal Officer,

NOW THEREFORE, BE IT RESOLVED, that the following permanent appropriations be placed into effect:

1000	General Fund	
	Personal Services (Salaries)	\$ 217,000.00
	Employee Benefits	\$ 116,000.00
	Purchased Services	\$ 84,975.00
	Supplies & Materials	\$ 13,500.00
	Other Dues and Fees	\$ 3,800.00
	Health Districts	\$ 32,000.00
	Capital Outlay	\$ 500.00
	<i>Total General Fund:</i>	<i>\$ 467,775.00</i>
2011	Motor Vehicle Tax	\$ 40,000.00
2021	Gasoline Tax	\$ 200,000.00
2031	Road and Bridge	
	Personal Services	\$ 418,750.00
	Other	\$ 729,172.00
	<i>Total Road and Bridge:</i>	<i>\$1,147,922.00</i>

2081	Police District	
	Personal Services	\$ 1,992,763.00
	Other	\$ 422,518.00
	<i>Total Police District:</i>	<i>\$ 2,415,281.00</i>
2112	Fire District	
	Personal Services	\$ 1,929,459.00
	Other	\$ 486,804.00
	<i>Total Fire District</i>	<i>\$ 2,416,263.00</i>
2181	Zoning	\$ 22,000.00
2231	Permissive Motor Vehicle License	\$ 180,000.00
2261	Law Enforcement Trust	\$ 65,000.00
2281	Ambulance and Emergency Medical	
	Personal Services	\$ 129,567.00
	Other	\$ 121,500.00
	<i>Total Ambulance and Emergency Medical:</i>	<i>\$ 251,067.00</i>
2901	Open Space	\$ 120.40
2902	Community Outreach	\$ 1,800.00
2903	9-1-1 Enhancement	\$ 18,000.00
2904	Police Contribution Fund	\$ 4,000.00
2906	Police Trust Fund	\$ 183,000.00
3101	Bond Anticipation Note	\$ 202,463.00
3102	General Bond Retirement	\$ 143,875.00
4402	Ohio Public Works	\$ 1,549,838.00
	Total Permanent Appropriations:	\$ 9,308,404.40

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mrs. Daugherty – Yes
Mr. Bryant – Yes
Mr. Pittman – Yes

There was short discussion about the Budget, Revenues & Appropriations and changes that will take place.

Police Department

D. Declaration of Excess Property -2013.03.17.02

Resolution# 2013.03.18.02

WHEREAS, the Sugarcreek Township Police Department has identified equipment which is no longer needed for operations, and;

WHEREAS, the items listed on the attached correspondence have an individual value of \$2,000.00 or less,

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby declares this property to be excess and directs the appropriate disposition of this property.

Mr. Bryant moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mrs. Daugherty – Yes
Mr. Pittman – Yes

Mrs. Daugherty asked what is done with this declared equipment. Mr. Tiffany stated some of the equipment is broken and will probably be placed on GovDeals as a lot.

Zoning

E. Re-Appointment of Board of Zoning Commission Member Joan S. Gallagher

Resolution #2013.03.18.03

WHEREAS, the five year term of Board of Zoning Commission member Joan S. Gallagher expired March 31, 2013; and,

WHEREAS, the Board of Zoning Commission plays a pivotal role in the land-use decisions for Sugarcreek Township; and,

WHEREAS, it is imperative that all positions on the Board of Zoning Commission be filled with citizens who will make decisions that are in the best interest of Sugarcreek Township; and,

NOW THEREFORE, BE IT RESOLVED, that Joan S. Gallagher is hereby re-appointed to the Board of Zoning Commission for a five-year term beginning April 1, 2013 and expiring on March 31, 2018. (Said appointment made pursuant to Ohio Revised Code Section 519.13.)

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mrs. Daugherty – Yes
Mr. Pittman – Yes

The Trustees each expressed great appreciation for Mrs. Gallagher's service to the community and Sugarcreek Township.

F. Authorizing the Township Administrator to collect on Behalf of Sugarcreek Township Unclaimed Funds Belonging the Township

Resolution #2013.03.18.04

WHEREAS, a notice of unclaimed funds was received from the Department of Commerce division of Unclaimed funds; and,

WHEREAS, in order to claim said unclaimed funds, it is necessary to pass a Resolution by the Board of Trustees authorizing an individual to claim these funds; and,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees for Sugarcreek Township does hereby authorize the Township Administrator, Barry P. Tiffany, to collect, on behalf of Sugarcreek Township, these unclaimed funds.

Mr. Pittman moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Bryant – Yes
Mrs. Daugherty – Yes
Mr. Pittman – Yes

Mr. Tiffany indicated that there was approximately \$261.00 in unclaimed funds to be collected.

9. Trustee/Staff Discussion

Chief Pavlak shared that the Operating monies for the Fire Department were received. Mr. Bryant opened discussion about the Open House scheduled for April 27 and requested someone to help organize the event. Mrs. Daugherty suggested that Sally Skelly organize the Open House. Mr. Bryant asked that the Parks Department be contacted to see if they could donate trees or shrubbery to give out. Mr. Bryant asked that we make plans for that day because it will be here before we know it. Mrs. Daugherty shared with Mr. Ackerman, who was in attendance, about the Open House and the purpose of letting our community know about our facilities and get to know our employees better.

10. Public Comments

Mrs. Rosemarie Driver of 1541 Clear Brook Drive spoke about Sugar Ridge. She had spoken with Mrs. Daugherty on Friday to complain about the homes being constructed in Sugar Ridge. Mrs. Drier stated that when Miller-Valentine first talked with Sugarcreek Township to develop this land, several stipulations were placed on the types of homes to be constructed. The homes being built now are terrible and look like barns. When she realized these homes were built by E. E. Wood, she called the Zoning Office and complained. The homes are small, the windows are cheapish, the roof line stops at the siding and there are no eaves which, when it rains, will cause water to collect behind the siding and the siding will pull away. The houses look terrible. Mr. Bryant asked if there was anything that could be done. Mrs. Tilford stated that E. E. Wood is building homes that are consistent with what was approved by Sugarcreek Township and that E. E. Wood would not be allowed to build anything outside of what has been previously approved. Each time Ed Wood brings in a plan for a new home, we pull out the approval to make sure the plan is consistent with the approval. We understand the price point that Miller-Valentine presented to us is not the price point that is being built now, but the building materials, design of the home are all consistent with the approval given by the Township. Each plan that is presented is checked against the approval and it meets the approval. There have not been a huge amount of complaints about the homes being built now, none from inside the development from people who paid \$330,000.00. We have met with Miller-Valentine, we have expressed our expectations. Miller-Valentine does sign off on every house built and they check to make sure it meets covenants and restrictions. There is nothing in the restrictions that say a certain type of home, with a certain roof line, or a particular model has to be built. Miller-Valentine gave us a package of several types of homes, and there are not a lot of conditions of approval attached to this development. Mrs. Tilford said that she spoke with Ed Wood and asked that he build a more expensive home and his response is that he would not be able to sell a \$300,000.00 home.

Mr. Phil Black lives at 1347 Park Terrace and was the first person to build in this area. The cost of his home was over \$400,000.00. When he built, they were a little nervous about being the first in this community, but were excited about being on the creek. Miller-Valentine had beautiful 11 or 12 plans to be purchased. Mr. Black stated he still enjoys the area, but is wondering if there is anything that can be done about the construction that is going on now. Ed Wood builds homes fast, and gets as much money as he can out of them. Miller-Valentine is committed to completing this neighborhood, but had run into trouble with the housing market. Mrs. Tilford added that if there was another developer building this community, we would be talking about a whole different

conversation and a different set of issues. Mr. Bryant stated that from a legal standpoint, we may not have much to stand on, but if we meet with Miller-Valentine and repeat our expectations with them and the builders that may help. The Trustees requested a meeting with Ed Wood from EE Wood Homes.

Mrs. Donna Hellmann lives at 3981 Windy Bluff Court, which is directly across the street from Sugar Ridge, and is on the home owner's association board for Eagle Rise. Mrs. Hellmann stated she attended each one of the meetings with Miller-Valentine. Her big complaint is that Miller-Valentine put up "Private Property" signs, and the neighbors are not able to enjoy the walking trails in this area. She said that she does not worry about her property values being affected by the homes being built, and that, with the economy as it is, he is selling homes at the price point that people want. Mrs. Daugherty asked that we meet with Miller-Valentine, and/or Ed Wood, and ask that he quit trying to cut costs, and try to build a better home. Mrs. Hellmann also stated that there have been no complaints from their home owners association about the homes being built in Sugar Ridge.

Mr. James Martin, 2465 Stewart Road, stated the Trustees made a big gaffe last week and over-stepped their bounds by agreeing to include Mr. Schieman, who is a member of the Zoning Board, in the process of approving developments that occur in the Township such as the one going in on Upper Bellbrook Road. The Trustees have been negligent in checking to see if what they have agreed to do is legal. Mr. Pittman stated that some of the items that were being discussed by Mr. Martin were not passed by the Board of Trustees. Mr. Martin stated that he was sorry that the Trustees did not give an opportunity to talk about Mrs. Gallagher's re-appointment to the Zoning Board. Mr. Martin asked about Indian Wells Trail and expressed concern over the Township taking responsibility of this road. Mrs. Tilford stated the RPCC waived the condition that states every development has to have two entrances. Mr. Tiffany explained that because of the many steps that need to take place before the Township can take over maintenance of Indian Wells Trail, he would never suggest to the Board at this time, and never expect them to agree to it.

Mrs. Hellmann reminded the Board about the Eagle Rise Home Owners Association Meeting on April 11, 2013 at 7:00 pm at the Public Safety Building.

Mrs. Joan Gallagher of 3340 Ferry Road said when she moved to the Township 41 years ago, she didn't realize she would have a "sparring partner" for the next 40 years and that she also didn't realize that we had a Sugarcreek Township and a Bellbrook. She told Mr. Martin at that time that one thing she loved about Bellbrook is it is a one horse town, and the thing she hated about Bellbrook is it is a one horse town and it is time to move on. Mrs. Gallagher's message to Mr. Martin tonight is it's time to move on. Mr. Bryant encouraged all derogatory comments to end. Mr. Martin stated that he has supported every levy in this Township.

Mr. Bill Scheiman inquired about putting a Community Calendar on the Township web-site that would be easy to locate and require only one click to find. He thought the web-site is not as user friendly as it should be and also thought it is important enough that we get the calendar populated with information. Mr. Zappanti stated access to department calendars are on the front page of the web-site at the Community Calendar link. Mr. Bryant stated the web-site statistics averages about 100 visits per day which is up a bit and there were about 50 people that down loaded the newsletter. Mr. Zappanti stated that a web-site is not designed to be static and change will occur.

Mr. Bryant made a motion to adjourn the Meeting, Mr. Pittman seconded the motion. Roll was called with the vote being as follows:

Mrs. Daugherty – Yes
Mr. Bryant – Yes
Mr. Pittman - Yes

The meeting adjourned at approximately 8:25 pm.

Theodore L. Hodson, Fiscal Officer