

**The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session, April 5, 2010, at 7:30 pm, at 2090 Ferry Road, Bellbrook, Ohio 45305.**

1. Chairperson Dick King called the meeting to order at 7:30 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Tiffany called the roll with Board Members Dick King, Nadine Daugherty and Mike Pittman being present. Others present who signed in were Jim Tharpe, Jim Martin, Donna Hellman, Marvin Moeller and Scott Bryant.

Mr. King said he would like to rearrange the agenda for this evening and skip down to items E through I.

**New Business**

**Fire Department**

- E. Reclassification of Fire Department Personnel Kevin C. Zehring and Benjamin D. Berg.

**Resolution # 2010.04.05.04**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, this need is met through the periodic reclassification of Fire Department employees and volunteers; and,

WHEREAS, Chief Randall J. Pavlak requests the reclassification of Kevin C. Zehring from Part-time Lieutenant to Full-time Firefighter/Paramedic and Benjamin D. Berg from Part-time Firefighter/Paramedic to Full-time Firefighter/Paramedic, in concert with the reorganization of the Table of Organization of the Sugarcreek Township Fire Department;

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the reclassification of Kevin C. Zehring and Benjamin D. Berg to the positions of full-time Firefighter/Paramedic at the pay rate of \$13.88 per hour.

FURTHER BE IT RESOLVED, these reclassifications shall have an effective date of May 3, 2010, and are subject to a one (1) year probationary period ending May 3, 2011.

- F. Reclassification of Fire Department Personnel William J. Richardson

**Resolution # 2010.04.05.05**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, this need is met through the periodic reclassification of Fire Department employees and volunteers; and,

WHEREAS, Chief Randall J. Pavlak requests the reclassification of William J. Richardson from Part-time Lieutenant to Part-time Lieutenant/EMT/Inspector in support of the goals and objectives of the Sugarcreek Township Fire Department; and,

WHEREAS, the Fire Chief has recommended this reclassification in his March 31, 2010, correspondence and the 2010 Budget has sufficient funds allocated for this position,

NOW THEREFORE, BE IT RESOLVED, that William J. Richardson shall be reclassified to the position of Part-time Lieutenant/EMT/Inspector effective April 5, 2010, at the pay rate of \$12.76 per hour.

G. Promotion of Fire Department Personnel, Joshua K. Johnson

**Resolution # 2010.04.05.06**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, vacancies exist within the classification of full-time Lieutenant; and,

WHEREAS, these vacancies were posted internally for applicants in accordance with township policy and the current labor contract; and,

WHEREAS, an assessment center was conducted which included testing in basic exercises and a review board along with personal interviews with the Fire Chief and Township Administrator; and,

WHEREAS, Joshua K. Johnson has been employed with Sugarcreek Township since April 5, 2004, as a full-time Firefighter/Paramedic; and,

WHEREAS, Firefighter Joshua K. Johnson has acquired and demonstrated all the necessary qualifications to serve in the capacity of full-time Lieutenant for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Randall J. Pavlak recommends this promotion and states there are funds available in the 2010 operating budget,

NOW THEREFORE, BE IT RESOLVED, that Firefighter Joshua K. Johnson is hereby promoted to the position of full-time Lieutenant with an effective date of May 3, 2010, payable on a bi-weekly basis at the rate of \$16.79 per hour, and subject to a one (1) year probationary period ending May 3, 2011.

H. Promotion of Fire Department Personnel, Rusty L. Cross

**Resolution # 2010.04.05.07**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, a vacancy exists within the classification of part-time Fire Marshall/Captain of Prevention; and,

WHEREAS, Rusty L. Cross has been employed with Sugarcreek Township since September 18, 2000, starting out as a Volunteer Firefighter and rising through the ranks to that of part-time Lieutenant; and,

WHEREAS, Rusty L. Cross has acquired and demonstrated all the necessary qualifications to serve in the capacity of part-time Fire Marshall/Captain of Prevention for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Randall J. Pavlak recommends this promotion and states there are funds available in the 2010 operating budget,

NOW THEREFORE, BE IT RESOLVED, that Rusty L. Cross is hereby promoted to the position of part-time Fire Marshall/Captain of Prevention with an effective date of April 5, 2010, payable on a bi-weekly basis at the rate of \$13.32 per hour, and subject to a one (1) year probationary period ending April 5, 2011.

I. Promotion of Fire Department Personnel Scott A. Rigsby and Kenneth W. Collier Jr.

**Resolution # 2010.04.05.08**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, vacancies exist within the classification of full-time Lieutenant; and,

WHEREAS, these vacancies were posted internally for applicants in accordance with township policy and the current labor contract; and,

WHEREAS, an assessment center was conducted which included testing in basic exercises and a review board along with personal interviews with the Fire Chief and Township Administrator; and,

WHEREAS, Scott A. Rigsby has been employed with Sugarcreek Township since March 5, 2001, starting out as a part-time Firefighter/EMT and has risen through the part-time and full-time ranks to that of full-time Firefighter/Paramedic; and,

WHEREAS, Kenneth W. Collier, Jr. has been employed with Sugarcreek Township since February 2, 2003, starting out as a part-time Firefighter/EMT and has risen through the part-time and full-time ranks to that of full-time Firefighter/Paramedic; and,

WHEREAS, both Firefighters Scott A. Rigsby and Kenneth W. Collier, Jr. were assigned as Acting Lieutenant(s) on January 25, 2010; and,

WHEREAS, both Firefighters Scott A. Rigsby and Kenneth W. Collier, Jr. have acquired and demonstrated all the necessary qualifications to serve in the capacity of full-time Lieutenant's for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Randall J. Pavlak recommends these promotions and states there are funds available in the 2010 operating budget,

NOW THEREFORE, BE IT RESOLVED, that Firefighters Scott A. Rigsby and Kenneth W. Collier, Jr. are hereby promoted to the positions of full-time Lieutenant with an effective date of May 3, 2010, payable on a bi-weekly basis at the rate of \$16.79 per hour, and subject to a one (1) year probationary period ending January 25, 2011.

Mr. King moved to accept Resolution's E through I as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Mr. King said he would like to further modify the agenda by skipping to Item K.

K. Appointment of Fire Department Personnel – James H. Johnson

**Resolution # 2010.04.05.15**

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, James H. Johnson has acquired and demonstrated all the necessary qualifications to serve in the capacity of Volunteer Firefighter for the Sugarcreek Township Fire Department; and,

WHEREAS, Chief Randall J. Pavlak in his March 22, 2010, correspondence to the Township Administrator, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2010 Operating Budget,

NOW THEREFORE, BE IT RESOLVED, that James H. Johnson shall be appointed to the position of Volunteer Firefighter within the Sugarcreek Township Fire Department effective April 5, 2010, and subject to a one (1) year probationary period ending April 5, 2011.

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

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

Mr. Johnson, who was present, came forward and was personally congratulated and welcomed by the Board and Staff.

#### **4. Reports**

##### **B. Fire**

A report prepared by Chief Pavlak is appended.

##### **D. Police**

A report prepared by Chief Flick, for the police department, is appended.

##### **A. Administrator**

Mr. Tiffany said the final report drafts, from the Mercer Group, for the Merger Study are available at the back for anyone interested. Mr. Tiffany said he has been contacted by Channel 45 about participating in their "Where You Live" series on TV. He also said they would like us to buy a 15 or 30 second slot of time to be used for selling our Community. Mr. Tiffany told the Board he has requested additional information and this can be discussed later. Mr. Tiffany said he received an E-mail from Steve Knopp. Mr. Knopp has been contacted by Bob and Hope Taft regarding a clean up of the Little Miami River. He said there will be a meeting on May 8<sup>th</sup> at 2 to 4:00 pm. Mr. Knopp said he thought the Township might want to get involved.

##### **E. Roads and Services**

A report prepared by Tracey Messer, Director of Roads and Services, is appended. Mr. Messer was absent and Mr. Tiffany said he had nothing additional to add to the report.

##### **E. Zoning**

A report prepared by Cara KillKelley, Township Planner/Zoning Official, is appended. Cara said she was contacted by O.D.O.T. and was informed that we were to be awarded \$239,500.00 on our Safe Routes to School Grant application.

##### **F. Trustees**

Mrs. Daugherty talked about the Miami Valley Regional Planning Commission's "Going Places" initiative and said it was very informational.

Mr. Pittman said he also attended the Miami Valley Regional Planning Meeting here at the Township and said they had good attendance. Mr. Pittman said some of the Political signs already up are not for the Primary but for November's election. Mr. Tiffany said we should contact those particular campaigns and inform them of the thirty day rule for political signs.

#### **5. New Business**

**Fiscal Office**

A. Payment of Bills

Mr. King moved to accept the Payment of Bills. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

**Fire Department**

B. Declaration of Excess Property – Fire Department

**Resolution # 2010.04.05.01**

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

WHEREAS, the identified equipment (list attached) is either broken property or has 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.

L. Declaration of Excess Property – Police Department

**Resolution # 2010.04.05.10**

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

WHEREAS, the attached list of 7.5V NiCd Portable Batteries 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. King moved to accept Resolutions 1 and 10 as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

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

C. Resignation of Professional Assistant Liaison System Member (PALS), Rita M. Fisher

**Resolution # 2010.04.05.02**

WHEREAS, Chief Randall J. Pavlak states in his letter dated March 26, 2010, that Ms. Fisher has submitted her resignation with an effective date of March 25, 2010; and,

WHEREAS, Rita M. Fisher has been a member with the Professional Assistant Liaison System (PALS) since July 10, 2004; and,

WHEREAS, Chief Pavlak is requesting the Board accept Mrs. Fisher's resignation and publicly thanks her

for her dedication, commitment and relentless efforts to make Sugarcreek Township a safer place to live,

NOW THEREFORE, BE IT RESOLVED, that the Board of Township Trustees accepts the resignation of Rita M. Fisher as a PALS Member with the Sugarcreek Township Fire Department effective March 25, 2010.

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

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

D. Resignation of Part-time Firefighter/Paramedic, Tony P. Coppess

**Resolution # 2010.04.05.03**

WHEREAS, Chief Randall J. Pavlak states in his letter dated April 5, 2010, that Mr. Coppess has submitted his resignation with an effective date of April 3, 2010; and,

WHEREAS, Tony P. Coppess has been a member of the Sugarcreek Township Fire Department since August 3, 2009; and,

WHEREAS, Chief Randall J. Pavlak indicated that Mr. Coppess has no financial obligations to the Township and recommends we accept his resignation,

NOW THEREFORE, BE IT RESOLVED, that the Board of Township Trustees accepts the resignation of Tony P. Coppess as a Part-time Firefighter/EMT with the Sugarcreek Township Fire Department effective April 3, 2010

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

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

J. Authorizing the Fiscal Office and Township Administrator to Enter Into an Agreement with Key Bank

**Resolution # 2010.04.05.09**

WHEREAS, the uninterrupted operations of the Township are necessary for the preservation of health, safety and general welfare; and

WHEREAS, Chief Randall J. Pavlak has reviewed four (4) quotes from various financial institutions regarding the financing options for the new 2009 McCoy Miller Ambulance; and,

WHEREAS, Chief Randall J. Pavlak recommends the Board of Trustees authorize the lease/purchase of the 2009 McCoy Miller Ambulance from Key Bank,

NOW THEREFORE, BE IT RESOLVED, the Board of Trustees does hereby authorize the Fiscal Officer and Township Administrator to enter into a Financing Agreement with Key Bank for the purchase of the 2009 McCoy Miller Ambulance for the Sugarcreek Township Fire Department, at a rate not to exceed 4.34% and a term of sixty (60) months, quote sheet is attached hereto.

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

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

**Police Department**

M. Recognizing “National Public Safety Telecommunications Week”

**Resolution # 2010.04.05.11**

WHEREAS, the Association of Public Safety Communications Professionals has designated April 11 - 17, 2010, as National Public Safety Telecommunications Week; and,

WHEREAS, this week is an annual celebration in honor of those men and women who respond to emergency calls, dispatch emergency professionals and equipment and initiate the rendering of life-saving assistance to the Citizens of communities throughout the United States of America; and,

WHEREAS, the Residents and Businesses of Sugarcreek Township are fortunate to be served by our dedicated group of Public Safety Communications Professionals; and,

WHEREAS, the Board of Sugarcreek Township Trustees desires to honor the services of these dedicated individuals and recognizes the vital role they play in maintaining the health and safety of our Residents,

NOW THEREFORE, BE IT RESOLVED, this Board of Trustees hereby proclaims the week of April 11 – 17, 2010, to be “National Public Safety Telecommunications Week” and expresses our sincerest thanks to every member of our exceptional Communications Center staff.

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

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

**Roads and Services Department**

N. 2010 Collective Bid Agreement with Greene County Engineer

**Resolution # 2010.04.05.12**

WHEREAS, this Board of Trustees has agreed to participate in the Collective 448 Overlay Bid for 2010, Collective 422 Chip Seal Bid for 2010 and Collective Center Line/Edge Line (County doing the work) 2010 Program offered by the Greene County Engineer; and,

WHEREAS, this opportunity enables Sugarcreek Township to participate in a competitive bidding contract that the Greene County Engineer offers to all government entities of Greene County; and,

WHEREAS, this cooperative Micro-resurfacing Program affords significant savings to Sugarcreek Township through the economies of scale realized by group purchasing and unified contract administration,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees, by executing the attached document, does hereby enter into said agreement and authorizes payment for the Township’s proportional share of roadwork completed.

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

Mr. Pittman – Yes

Mrs. Daugherty - Yes  
Mr. King – Yes

**Administration**

O. Proclamation Supporting the Going Places Initiative and Miami Valley Regional Planning Commission

**Resolution # 2010.04.05.13**

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC), through the Going Places Initiative, is exploring options for the future physical development of the Miami Valley Region; and,

WHEREAS, the Going Places Initiative goal is to identify and build future land use scenarios which incorporate important issues and assess each scenario's social, economic and environmental implication; and,

WHEREAS, this Board of Sugarcreek Township Trustees acknowledges the importance of preparing for the future while exploring all options available, and fully supports the Miami Valley Regional Planning Commissions Going Places Initiative.

THEREFORE BE IT RESOLVED, this Board of Sugarcreek Township Trustees extends its full support to the Going Places Initiative and applauds the Miami Valley Regional Planning Commission for their foresight and dedication to the Miami Valley and surrounding areas.

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

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

P. Revisions/Amendments to the Sugarcreek Township Personnel Manual

**Resolution # 2010.04.05.14**

WHEREAS, this Board of Sugarcreek Township Trustees and Administration shall review as needed the Policies and Procedures Handbook (Personnel Manual); and,

WHEREAS, these policies and procedures are essential in regards to the retention and recruitment of a highly qualified and motivated work force; and,

WHEREAS, the policies and procedures are designed to be consistent with the requirements of the state and federal laws and regulations relative to employment; and,

WHEREAS, Barry P. Tiffany, Township Administrator, has submitted proposed revisions/amendments to the Sugarcreek Township Personnel Policies and Procedures Manual to this Board of Trustees,

NOW, THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees does hereby adopt the proposed revisions/amendments to the Sugarcreek Township Personnel Policies and Procedures Manual (copy hereto attached) effective April 5, 2010.

BE IT FURTHER RESOLVED, that these revisions/amendments shall be copied and distributed to each Township employee to remove the old policy pages and insert the revised policy pages in their Personnel Policies and Procedures Manual.

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

Mr. Pittman – Yes

Mrs. Daugherty - Yes  
Mr. King – Yes

Mr. Pittman said these policies are reviewed periodically with minor additions or subtractions. There are no new major policy changes. Mr. Tiffany said the Township Personnel Manual is a living document.

**6. Trustee/Staff Discussion**

Mr. Pittman said Jeremy Kelley will no longer be covering Sugarcreek Township. Katherine Ulmer will be replacing Mr. Kelley.

**7. Public Comments**

Mr. Marvin Moeller said he does not think it is right that the Fire and Police Departments are paying for part of the Trustees salaries. Mr. Tiffany said it is permissible. Mr. Moeller said it may be permissible but it isn't right. Mr. Moeller said it may be legal but is it ethical. Mr. Moeller said he didn't vote for the Fire Levy to have it spent for General Fund expenditures. Mr. Moeller asked what a Trustee makes now. Mr. Pittman said he is eligible for \$21,000.00 per year but is only taking \$16,000.00. Mr. Moeller said he thought he saw where \$11,000.00 was taken from the Fire Fund for Mr. Tiffany's education. Mr. Tiffany said absolutely not, never. Mr. Moeller asked what happened to the surplus that was in General Fund. Mr. Tiffany said the bulk of it went for legal fees to fight the annexation. Mr. Moeller thought it was poor budgeting to spend that much for legal fees. Mr. Tiffany said we have won all the legal decisions regarding the annexation tax dollars. He asked Mr. Moeller if he would spend \$5.00 to make \$5,000.00. That is what we are doing. We have potentially saved millions of dollars in taxes for the Citizens of the Township. Mr. Moeller reiterated that he did not think it was right to take Trustee's salaries from the Police and Fire Departments.

Mr. Jim Martin said, regarding the annexation tax dollars, people should know that if the merger issue passes, we will lose all the Dille property taxes regardless of the courts decisions. The law says that if we merge all the annexed property tax dollars will go to Centerville. Mr. Martin said this merger will bankrupt everybody with tax increases. Mr. Martin told the Board it is time for them to stand up and say it is not good for the Township or for Bellbrook.

Mr. King moved to adjourn to Executive Session for personnel issues. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

The meeting reconvened at approximately 9:30 pm with no action taken and promptly adjourned.

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Theodore L. Hodson, Fiscal Officer