

**The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session, August 02, 2010, at 7:00 pm, at the Sugarcreek-Bellbrook Middle School Cafetorium, Bellbrook, Ohio 45305.**

1. Chairperson Nadine Daugherty called the meeting to order at 7:00 pm.
2. All rose and recited the Pledge of Allegiance to the Flag.
3. Mr. Hodson called the roll with Board Members Nadine Daugherty, Mike Pittman and Dick King being present. Others present, in addition to Mr. Tiffany, who signed in were Donna Hellman, Rashawnda Young, Noah Like, Steve Morgan, Chris and Debbie Ziehler, Rick Amos, Marty Richards, Rick Robetso, Scott Bryant, Doreen and Randy Elliot, Rosemary Eisenhower, Karen Shroyer, Tim and Denise Toth, Mike and Deedra Bakan, Pat and Don Rouff, Mike Seiler, Jim Tharpe, Bill Roos, Barbara Burson, Sharon McGinnis, and Edgar Gerdeman.

**4. Presentation of Charter from Boy Scouts of America to the Sugarcreek Township Fire Department**

Mr. James Nolan, Scout Executive, and Marty Richards, District Directed awarded a Certificate of Appreciation to the Sugarcreek Board of Education for their sponsorship of the Sugarcreek Fire Department Explorer Post.

**5. Fire Department**

**A. Appointment of Explorer Cadets**

**Resolution # 2010.08.02.01**

WHEREAS, the Sugarcreek Township Fire Department promotes educating the young adults of our community in Fire, EMS and Rescue Services and provide opportunities to advance into volunteer and career paths; and,

WHEREAS, James Baker, Kristen M. Cross, Lamont M. Harris, Noah T. Like, Raje M. Young, Rick P. Baker, Trevor J. Sanders and Zach P. Keller have displayed and acquired all the necessary qualifications for becoming Explorer Cadets with the Sugarcreek Township Fire Department,

NOW THEREFORE, BE IT RESOLVED, that James Baker, Kristen M. Cross, Lamont M. Harris, Noah T. Like, Raje M. Young, Rick P. Baker, Trevor J. Sanders and Zach P. Keller shall be appointed as Explorer Cadets effective August 2, 2010.

The newly appointed Explore Cadets came forward for the presentation and badges were pinned to their uniforms by their parents. The Board and Staff personally congratulated each new appointee.

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

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

**6. Reports**

**A. Administrator**

A report prepared by Township Administrator Barry Tiffany is appended.

**Fire**

B. A report prepared by Fire Chief Randy Pavlak is appended.

**Police**

C. A report prepared by Police Chief Gil Flick is appended.

**Roads and Services**

D. A report prepared by Roads and Services Director Tracey Messer is appended.

**Zoning**

E. A report prepared by Township Planner/Zoning Official Cara KillKelley is appended.

**7. New Business**

**Fiscal Office**

**A. Payment of Bills**

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

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

**8. Public Forum – open discussion on Limited Home Rule**

Mr. Tiffany introduced Mr. Matt DeTemple, new Director of the Ohio Township Association, who gave a presentation of Limited Home Rule. Mr. DeTemple said the O.T.A., in general, supports Limited Home Rule since it usually enhances the quality life in the community. After a short statement of basic advantages and disadvantages, Mr. DeTemple addressed questions from the Board and from those in attendance.

Mr. DeTemple listed advantages as providing the ability to hire an engineer, provide sanitary sewers, can impose civil fines enforceable in court, more latitude in issuance of debt and lower interest rates. He listed as a disadvantage the loss of free use of the County Prosecutor and the need to hire an attorney, at least on a contractual part-time basis.

Mrs. Daugherty asked if that was the only disadvantage. Mr. DeTemple responded that some have said you need to be careful that new ordinances don't conflict with Ohio law.

Mr. Pittman asked what type of Townships benefit. Mr. DeTemple responded it is usually larger townships like those near an urban area. Mr. Pittman said we aren't as large as many but we have an Interstate through our Township and our make up here is becoming similar to larger Townships.

Mrs. Daugherty said we have about seven thousand Citizens. How big are other Townships with L.H.R.? Mr. DeTemple responded that most are ten thousand or more.

Mr. Rick Robertson asked how it changed zoning compliance issues. Mr. DeTemple said it broadens the zoning capabilities. Mr. Tiffany said, being a statutory Township, we are limited to what we can do. L.H.R. would provide us with General Welfare capabilities and more latitude to put those issues in place.

Mr. Jim Martin said he supported this issue last year because of our increased ability to borrow money for needed projects. Mr. Martin said he will fight it this year since our Trustees will abuse the broadened zoning capabilities because they want to control everything.

Mr. Scott Bryant said he heard it referred to as a tool to help against annexation. If it does, exactly what can it do? Mr. DeTemple said he could not give an example but thought it might apply to land use resolutions. Mrs. Daugherty asked again how it would help prevent annexation. Mr. DeTemple said he did not have a specific example.

Mr. Bill Schieman asked if Mr. DeTemple thought the reading of Resolutions were stronger with L.H.R. or regular

townships. Mr. DeTemple said, if legislative there were read twice in L.H.R. Mr. Schieman said he has attended L.H.R. Township meetings where only the title of the resolution was read. Mr. Scott Bryant said only by majority vote of the Trustees. Mr. Schieman said he is against L.H.R. He doesn't think the board or the Citizens are prepared. The people need a breather after the merger issue. Mr. Schieman then talked about the increased borrowing capability. He said he would like to know exactly what the increase, in real money, is compared to our current capability.

Mr. Pittman said this is used infrequently by most L.H.R. Townships for financing. Mr. Pittman gave an example saying that we almost didn't get financing for Clio Road because of tightened restrictions with the current economic conditions. With L.H.R. we would not have had a problem and could have most likely saved on interest. Mr. Pittman said if we hadn't finally procured the loan we would have lost a five hundred thousand dollar grant. The borrowing with L.H. R. is being overly stated. Lending institutions will not give you a loan if you do not have the ability to pay it back. Mr. Pittman said the Citizens have the right to reject L.H.R. as do the Trustees. He said he is in favor of L.H.R. because of projects like Clio Road.

Mrs. Daugherty said she is not in favor of L.H.R. because future Boards may abuse the additional powers granted.

Mr. Pittman asked Mr. DeTemple if the two readings and two votes for resolutions in L.H.R. townships were to provide more transparency. Mr. DeTemple agreed that was the purpose.

Mr. Schieman said once debt is issued you can't take it back and in the future we will have different Trustees.

Mr. Pittman asked Mr. DeTemple if he was aware of any township that has rescinded L.H.R. Mr. DeTemple answered he did not know of any.

Mr. King asked if the title of the resolution is all that is read. Isn't the information provided by a written document or a web site? Mr. DeTemple said the law provided for omission of the second reading for efficiency reasons.

Mrs. Donna Hellman said she has done some research and that L.H. R. has no established link in helping stop annexation. She said she is also concerned about the borrowing of money. Mrs. Hellman said she is disappointed we did not get the turnout tonight that we got for the merger study.

Mrs. Doreen Elliot asked if any local townships had L.H.R. Mr. Pittman said Washington, Clearcreek, Liberty and Union Townships to name a few.

Mr. Jim Martin said he was very concerned about the additional power. Annexation cannot occur unless the owner agrees. The Dille's went to Centerville out of desperation. The land owner has the right to decide what entity he wants to be in. Mr. Martin said he doesn't think we have enough people to need L.H.R.

Mr. King said negotiations over the Dille property stopped when Bear Creek wanted a thirty five million dollar T.I.F. we couldn't afford. He said he would support doing the same again.

Mrs. Daugherty said we should stick to L.H.R. subject matter.

Mr. Scott Bryant tanked Mr. DeTemple for coming and asked if better bond ratings for L.H.R. Townships were due solely to having L.H. R. Mr. DeTemple said he did not know of a specific case but the bond ratings depended on several factors. However, he said L.H.R. Townships typically receive better bond ratings than non-L.H.R.

Mr. Mike Seiler said L.H.R. doesn't help with annexation. The property owner wants maximum returns and the Board should make every attempt to provide such. Mr. Seiler said he didn't like being able to borrow more without the people vote. If it doesn't strengthen the Township why stir everything up again?

Mr. King said we do have a need to borrow money. The General Fund's budget is tight. We have a levy on the ballot for Safe Routes to Schools. If it fails we could lose our grant because we can't meet required fund matching.

Mrs. Daugherty said we do have a levy and people can decide.

Mrs. Barb Burson said she didn't want to hear any more about Clio Road. The Board is incompetent if it can't get a road built in a timely fashion. She said she didn't want to give the Board any more power.

Mr. Jim Tharpe asked who we had to hire other than an attorney. Mrs. Daugherty asked if we needed an Engineer also. Mr. DeTemple said the only requirements regarding personnel were an attorney, which could be contract on an as needed basis, and a Township Administrator which we already have.

Mrs. Daugherty asked how many hours a year do we use the County Prosecutor. Mr. Tiffany said since the Prosecutor doesn't bill us he does not keep track of our hours.

Mr. King said there is a Resolution before the Board regarding the placement of Limited Home Rule on the ballot. Mr. King also said, in view of the comments, he is willing to waive putting it on the ballot.

Mr. Pittman said he would agree with Mr. King. Mr. Pittman said there are legitimate reasons to pass the Resolution. It would permit arrangements to be made with other governments. We can't be afraid of progress. If we do this again in the future we need to start earlier and lay out needs to the Citizens.

Mrs. Daugherty said we will not vote on the Resolution tonight but I would have voted no.

#### **Trustee/Staff Discussion**

Chief Pavlak said the new Life-Pack systems are in and will be in the medics within the next ten days. He said he will also be out of town next week.

Cara KillKelley said she is looking for a Trustee to do an interview for the Farmer's Market. Mr. Pittman and Mrs. Daugherty said they would do it.

#### **Public Comments**

Mr. Jim Tharpe thanked the Board for listening to the people.

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

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

The meeting adjourned to work session at 8:39 pm.