

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session, September 20, 2010, at 7:30 pm, at 2090 Ferry Road.

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, Jim Tharpe, Barbara Burson, Jim Martin, Howard Ackerman, Greg Muir, Dan Muir, Katherine Ullmer, and Pam McIntire.

The Board shares the position of Chairperson and Mr. Pittman took over the Chair for the next four months. He thanked Mrs. Daugherty for her previous four months of service.

4. Reports

Administrator

A report prepared by Township Administrator Barry Tiffany is appended. Mr. King mentioned that the Little Miami River cleanup was scheduled for October 2nd. Mr. Pittman said we should put a reminder in the News Letter to keep our community clean.

Fire

A report prepared by Fire Chief Randy Pavlak is appended. Chief Pavlak said the Ladder Truck was still down. He said the problem has been isolated and it should be up and running soon.

Police

A report prepared by Police Chief Gil Flick is appended. Chief Flick said he received a lot of requests for video copies of the wreck on Route 675.

Roads and Services

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

Zoning

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

Trustees

Mr. Pittman said he attend the Wal-Mart and Universal One grand opening. Mr. Pittman said he received many compliments on our staff from Universal One. They said it was the best new building process they had ever been through. Mr. Pittman said Greg Sparks of the Lions Club was awarded the Pillar of the Community Award.

Mrs. Daugherty asked if any meetings had been scheduled yet with Mr. Phil Huston and Mr. George Oberer or with Centerville regarding the non-annexed Dille property. Mr. Tiffany said he was still working on an agreed meeting between the involved parties.

7. New Business

Fiscal Office

A. Payment of Bills

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

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

B. Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying the to the County Auditor

Resolution 2010.09.20.01

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten (10) mill limitation (see Schedule A, attached),

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sugarcreek Township, Greene County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted,

BE IT FURTHER RESOLVED, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten (10) mill limitation as attached in Schedule A.

BE IT FURTHER RESOLVED, by the Board of Trustees of Sugarcreek Township, Greene County, Ohio, in accordance with provisions of law as previously adopted by a Tax Budget for the next succeeding fiscal year commencing January 1, 2011.

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

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

Fire Department

A. Reclassification of Fire Department Personnel: Chad M. Stall

Resolution 2010.09.20.02

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 Chad M. Stall from Part-time Firefighter through the FY2008 Safer Grant to Volunteer Firefighter,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the reclassification of Chad M. Stall to Volunteer Firefighter effective August 18, 2010.

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

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

B. Resignation of Firefighter: William J. Barrett

Resolution 2010.09.20.03

WHEREAS, Firefighter William J. Barrett has submitted his letter of resignation from the Sugarcreek

Township Fire Department; and,

WHEREAS, Mr. Barrett has been a member of the Sugarcreek Township Fire Department since March 5, 2010, and,

WHEREAS, Chief Randall J. Pavlak indicated in his August 31, 2010, correspondence that Firefighter Barrett has fulfilled all his obligations to the Township and recommends we accept his resignation,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees officially accepts the resignation of William J. Barrett with an effective date of August 31, 2010.

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

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

C. Appointment of Fire Personnel Under the Terms of the Acceptance of Fy2008 Safer Grant: Michael T. Sacksteder

Resolution 2010.09.20.04

WHEREAS, on May 15, 2009, the Sugarcreek Township Board of Trustees approved Resolution 2009.06.15.07, accepting the FY2008 Safer Grant; and,

WHEREAS, Chief Randall J. Pavlak is requesting, under the terms of the FY2008 Safer Grant, the appointment of Michael T. Sacksteder as a part-time Firefighter/EMT in support of the goals and objectives of the Sugarcreek Township Fire Department; and,

WHEREAS, the funds for the employee status changes are allocated out of the FY2008 Safer Grant,

NOW THEREFORE, BE IT RESOLVED, that Michael T. Sacksteder shall be appointed to the position of part-time Firefighter/EMT at the pay rate of \$8.85 per hour having an effective date of September 6, 2010, with a one (1) year probationary period ending on September 6, 2011.

BE IT FURTHER RESOLVED, that part-time township employees are hired with the expectation that the employee(s) will work not more than one thousand five hundred hours total in any year, calculated annually from the date of part-time appointment.

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

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

D. Appointment of Fire Department Personnel: Jordan R. Ewing

Resolution 2010.09.20.05

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

WHEREAS, Jordan R. Ewing 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 August 31, 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 Jordan R. Ewing shall be appointed to the position of Volunteer Firefighter within the Sugarcreek Township Fire Department effective September 6, 2010, and subject to a one (1) year probationary period ending September 6, 2011.

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

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

Police Department

E. Reclassification of Police Lieutenant James K. Deaton to Assistant Chief in the Rank of Captain

Resolution 2010.09.20.06

WHEREAS, the continuing need exists to review employee positions and job titles to ensure they are consistent with their current job duties; and,

WHEREAS, upon review of the current duties assigned to Police Lieutenant James K. Deaton, the Chief of Police recommends to the Board of Sugarcreek Township Trustees, that Lt. Deaton's current job duties constitute a reclassification of his position to that of Assistant Chief in the Rank of Captain; and,

WHEREAS, Lt. Deaton possesses the necessary technical skills, education, and experience required of the position of Assistant Chief in the Rank of Captain,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees hereby reclassifies Lt. James K. Deaton to the position of Assistant Chief in the Rank of Captain effective September 20, 2010,

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

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

The Board congratulated Captain Deaton and complimented him on his previous outstanding service to the community.

Roads and Services Department

F. Non-Emergency Political Subdivision Agreement for Road Work or Maintenance Between Miami Township, Greene County and Sugarcreek Township, Greene County.

Resolution 2010.09.20.07

WHEREAS, this is an agreement between the above-named political subdivisions by and through their respective governing bodies; and,

WHEREAS, Pursuant to House Bill 315, which enacted Revised Code Section 5535.08, the parties agree

as follows:

- Sugarcreek Township agrees to assist Miami Township on an occasional basis from July 1, 2010 to July 30, 2015, in order to construct, reconstruct, resurface, improve, repair and maintain roads and/or streets.
- Sugarcreek Township agrees to provide up to four (4) employees for those occasions.
- Chapters 2744 and 4123 of the Ohio Revised Code apply to this agreement as provided for in Revised Code Section 5535.08.
- Sugarcreek Township will not charge for its services.
- Sugarcreek Township will provide whatever equipment it has available, if needed, to assist Miami Township.
- Sugarcreek Township, which is the assisting jurisdiction, may use the equipment belonging to Miami Township at the discretion of Miami Township.
- This agreement shall be in effect for a period of five (5) years, with automatic renewal for additional five (5) year periods until terminated by any party to the agreement.

NOW THEREFORE, BE IT RESOLVED this Agreement is accepted by the parties for the time period and terms contained herein.

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

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

Mr. King asked Mr. Messer if we could do a County wide Resolution instead of passing them a few at a time. Mr. Messer answered that not all Township necessarily can or want to participate. Chief Pavlak said this was for non-emergency but that we already had a County wide agreement for Emergency situations.

Administration Department

G. Halloween in the Park and Beggar's Night Activities

Resolution 2010.09.20.08

WHEREAS, Sugarcreek Township has a tradition of recognizing the annual Halloween in the Park and Beggar's Night Activities; and,

WHEREAS, such events are for the purpose of enhancing the enjoyment of our community,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees endorses the Halloween in the Park activities on Saturday, October 23, 2010, from 2:30 pm – 6:30 pm,

FURTHER BE IT RESOLVED, that up to fifty dollars (\$50.00) from the General Fund or the Community Outreach Fund may be used for materials and supplies in support of this community event,

BE IT FURTHER RESOLVED, that "Beggar's Night" will take place on Saturday, October 30, 2010, between the hours of 6:00 pm and 8:00 pm.

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

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

H. Proclaiming October as Domestic Violence Awareness Month.

Resolution 2010.09.20.09

WHEREAS, all Citizens of Sugarcreek Township have a right to live in their homes free from violence or fear of violence; and,

WHEREAS, this problem of domestic violence requires a collective community response to ensure safety for victims, accountability for batterers and safe futures for children; and,

WHEREAS, the reduction of domestic violence in Sugarcreek Township improves the quality of life for all of our families and individuals; and,

WHEREAS, the Greene County Consortium on Domestic Violence consists of more than 85 representatives from Greene County law enforcement, criminal justice, medical, human service, victims' advocacy, batterer intervention and other groups,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees, in recognition of the excellent work done by the Greene County Consortium on Domestic Violence, does hereby proclaim the month of October to be designated as Domestic Violence Awareness Month, and urges all Citizens to participate in activities sponsored by the Greene County Consortium on Domestic Violence and the Family Violence Prevention Center of Greene County, which encourages all Sugarcreek Township residents to work toward the elimination of interpersonal violence.

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

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

Mr. King read parts of a letter received from the Family Violence Prevention Center stating the one-third of all families have experienced domestic violence and, in the United States, a woman is battered every 15 seconds.

I. Declaring a nuisance at 654 Van Eaton Road

Resolution 2010.09.20.10

WHEREAS, the Ohio Revised Code 505.87 provides for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township; and,

WHEREAS, the Township Planner/Zoning Official has inspected the property at 654 Van Eaton Road and has observed vegetation and noxious weeds exceeding 12" in height; and,

WHEREAS, at least seven days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner's maintenance of which has been determined by the Board to be a nuisance; and,

WHEREAS, if such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within seven (7) days, the Board shall provide for the abatement, control, or removal, and any expenses incurred by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby determines that the maintenance of the vegetation at 654 Van Eaton Road does constitute a nuisance and orders the

Township Planner/Zoning Official to proceed with the abatement, control, or removal of such vegetation in accordance with the provisions of ORC 505.87.

J. Declaring a Nuisance at 1966 Winding Brook Way

Resolution 2010.09.20.11

WHEREAS, the Ohio Revised Code 505.87 provides for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township; and,

WHEREAS, the Township Planner/Zoning Official has inspected the property at 1966 Winding Brook Way and has observed vegetation and noxious weeds exceeding 12” in height; and,

WHEREAS, at least seven days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner’s maintenance of which has been determined by the Board to be a nuisance; and,

WHEREAS, if such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within seven (7) days, the Board shall provide for the abatement, control, or removal, and any expenses incurred by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby determines that the maintenance of the vegetation at 1966 Winding Brook Way does constitute a nuisance and orders the Township Planner/Zoning Official to proceed with the abatement, control, or removal of such vegetation in accordance with the provisions of ORC 505.87.

K. Declaring a Nuisance at 1370 Carpenter Road

Resolution 2010.09.20.12

WHEREAS, the Ohio Revised Code 505.87 provides for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township; and,

WHEREAS, the Township Planner/Zoning Official has inspected the property at 1370 Carpenter Road and has observed vegetation and noxious weeds exceeding 12” in height; and,

WHEREAS, at least seven days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner’s maintenance of which has been determined by the Board to be a nuisance; and,

WHEREAS, if such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control or removal is not made within seven (7) days, the Board shall provide for the abatement, control, or removal, and any expenses incurred by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and

NOW THEREFORE, BE IT RESOLVED, that this Sugarcreek Township Board of Trustees hereby determines that the maintenance of the vegetation at 1370 Carpenter Road does constitute a nuisance and orders the Township Planner/Zoning Official to proceed with the abatement, control, or removal of such vegetation in accordance with the provisions of ORC 505.87.

Mr. King moved to accept Resolutions for 654 Van Eaton Road, 1966 Winding Brook Way and Carpenter Road as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

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

Trustee/Staff Discussion

Mr. Pittman said O.T.A.R.M.A. is looking for nominations to replace a member of its Board of Directors.

Mr. Pittman suggested that they nominate Mr. Tiffany to serve on their Board. He said they meet quarterly and there would be no expense to the Township. Mr. Tiffany said one of the meetings is at the O.T.A. convention which he already attends annually. It was the Boards consensus that Mr. Tiffany would be nominated and that Mr. Pittman would write the letter of nomination.

Public Comments

Mr. Jim Martin said yard sale signs were up on Feedwire and Upper Bellbrook Roads. He said the Board made a big deal of this in the past and thought they should be informed. Mr. Martin said he thought Mr. Tiffany would do a good job as an O.T.A.R.A.M.A. Board member.

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

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

The meeting adjourned to Executive Session at 8:45 pm.

The meeting resumed at 9:45 pm with no action taken and promptly adjourned.

Theodore L. Hodson, Fiscal Officer