

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on January 5, 2015, at 7:00 pm, at 2090 Ferry Road, Sugarcreek Township, Ohio 45305.

1. Mr. Bryant called the session to order at 7:00 pm.
2. Mr. Hodson called the roll with Board Members Nadine Daugherty, Mike Pittman and Scott Bryant being present. In addition to Mr. Tiffany, Township Administrator, others, who signed in, were Jim Martin, Donna Hellman, Danielle Coots, Greg Smith, Mark Locke, Howard Ackerman, Kelly Pumpelly, Barb and John Myron, Heath Williams, Jay Jira, Mark M. Black, and Craig Gatzulis.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. Community Activities
There were no community activities announced.
5. Reclassification of Fire Department Personnel Clay Fillinger, Michael Neal and Jared Elliot

Resolution #2015.01.05.01

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 reclassifications of Clay Fillinger and Michael Neal from volunteer Firefighters to part-time Firefighter II/EMT's and the reclassification of Jared Elliot from volunteer Firefighter to part-time Firefighter I/EMT, in concert with the reorganization of the Table of Organization of the Sugarcreek Township Fire Department;

WHEREAS, all part-time employees shall work no more than one-thousand five-hundred (1500) hours in a fiscal calendar year,

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the reclassifications of Clay Fillinger and Michael Neal to the position of part-time Firefighter II/EMT's at the pay rate of \$9.05 per hour and the reclassification of Jared Elliot to the position of part-time Firefighter I/EMT at the pay rate of \$8.85 per hour payable on a bi-weekly basis.

FURTHER BE IT RESOLVED, these reclassifications shall have an effective date of January 5, 2015, and are subject to a one year probationary period ending January 5, 2016.

Mr. Bryant 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. Bryant - Yes

Mr. Pittman said he appreciated them coming on board. Mr. Bryant said that Volunteers are a crucial part of operations and thanked them. Mrs. Daugherty thanked them and said this is a good place to work.

Mr. Fillinger, Mr. Neal and Mr. Elliot came forward and had their pictures taken with the Board and Staff. They were then welcomed personally by all.

6. Public Hearing – Oberer Land Developers LTD is requesting a Final Development Plan Approval for the Oak Brooke subdivision located at 525 Little Sugarcreek Road.

Public Hearing is formally opened: Mrs. Daugherty moved to open the public hearing. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Staff Report on the final development plan: Cara Tilford provided a slide presentation depicting plot layout, sewer and water lines, retention ponds etc.

Her staff report included existing zoning, property location, adjacent zoning and existing condition of the property. Cara provided a history of previous actions and a listing of conditions and restrictions pertaining to the new development. She also provided a list of recommendations and conditions of approval.

Mr. Smith, Oberer's Land Developers, spoke and listed their modifications from the original proposal. He said they dropped the Strawberry Way stub and made some of the lots larger. He said they will provide ten foot high mounding with landscaping at the front. He said water will be provided from Carpenter Road. He said the sewer line will come through the Early development, if it is approved. Otherwise, he said it will go north along Little Sugarcreek to the development.

Those wishing to speak in favor: None.

Those wishing to speak against: Mrs. Kelly Pumpelly, 5248 Little Sugarcreek Road, said she was not happy about this since the traffic on her road was already insane. She said it is so busy she can't let her kids ride the bus. She asked, where is the farm community? Where is the green space talked about? Mr. Pittman said, to be blunt, this property is subject to annexation and we could lose it. Mrs. Pumpelly asked, "What's to hold down the traffic?"

She said she had seen the study. Mr. Tiffany said they had made a public records request from Centerville and they did pursue this property and if it went to them there would be twice as many homes. He said we have established a traffic base line, as suggested by Donna Hellman. Mr. Tiffany said, people on the average people are driving under the speed limit. He said we will continue to watch and to do what we can as permitted by law. Mr. Bryant said we are looking at the big picture and there are key pieces of property we have to protect for the greater good of the Township to protect against annexation threats. Mr. Pittman said personally he would like a little less density but he said this is a good development. He said the houses are nice quality homes. Mrs. Pumpelly asked if there was any other way in or out of the property. Mr. Bryant said we have discussed that but there is no alternative. Mr. Tiffany said we do have a secondary emergency access.

Neutral parties wishing to speak: Mr. Jim Martin, 2465 Stewart Road, said he would like to say why the Trustees are in this position. He said several years ago the Zink Farm was lost arguing over two houses. He said if we are not reasonable we will lose land.

Mr. Mark Black, 3169 Indian Ripple Road, said he would like to correct a statement he heard earlier. He said the Blacks' are not giving up their farm. Mr. Bryant asked Mr. Black if he was happy with the elimination of the Strawberry Way stub. Mr. Black said he was.

Public Hearing is closed: Mrs. Daugherty moved to close the Public Hearing. Mr. Bryant seconded. Roll was called with the vote being as follows:

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

Deliberation and discussion: Mr. Pittman said we have discussed this before and he had nothing additional to add.

Mr. Bryant said he was concerned with the sewer line. He said he is not happy with the Early property since it doesn't fit our demographics. He said the Early property is not a done deal.

Mrs. Daugherty said this is a lot of houses but they are nice. She said there would be more if it were annexed.

Mr. Bryant asked when they would get started. Mr. Locke said they would start this spring and phase 2 would probably be a year behind. Mr. Bryant asked if a pump station would be required for the sewer. Mr. Locke said neither solution would require a pump station.

Mrs. Daugherty said we will take a five minute break before continuing.

7. **Reports**

A. Administration

Mr. Tiffany said he had no report for tonight. He said snow is coming tonight and the 'Beet Heat' is ready to go. Mr. Bryant said we need to keep track of what we use and see if it is saving us any money. Mr. Pittman asked about H.B. 277. Mr. Tiffany said it was dead for this year and probably wouldn't resurface until about February.

B. Fiscal Office

Mr. Hodson said they finished the last payroll today and are starting the year end rollover to 2015.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said he was going to be the Chair this year for Dayton Regional Hazmat. Mrs. Daugherty complimented Bee Williams for her service to the Township and said we should do something for her. Chief Pavlak said we have something planned. He said twenty two years is a long time.

D. Police

The report prepared by the Police Department will be appended to the permanent record. Chief Brown said he had nothing to add.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said he had nothing additional to add.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Cara said she had nothing to add. Mr. Bryant said it looks like January will be a busy month for Zoning.

G. Information Technology

The report prepared by Mr. Zappanti, Director of Information Technology, will be appended to the permanent record. Mr. Zappanti said he had nothing additional to report. Mr. Bryant asked about the building permits for the tower. Chris said the County has them and it usually takes them four to six weeks.

H. Trustees

Mr. Pittman said at the January 13th Greene County Trustee Association meeting they will discuss the future of Greene County Regional Planning.

8. **Public Comments – Agenda Items**

None.

9. **Old Business**

Microwave Link – Mr. Tiffany said the tower permit was just talked about. He said the old ladder truck sold again. Mr. Tiffany said it sold for twelve thousand the first time but the buyer defaulted. He said this time it sold for seventeen thousand.

10. New Business

Consent Agenda Items

- A. Approval of Minutes
- B. Payment of Bills
- C. Approval of Amendments to the Personnel Policies and Procedures Manual

Resolution #2014.12.15.05

WHEREAS, the Board of Sugarcreek Township Trustees and Administration office have reviewed the Personnel Policies and Procedures 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, proposed amendments to the Personnel Policies and Procedures Manual have been submitted to this Board of Trustees,

NOW, THEREFORE, BE IT RESOLVED, this Sugarcreek Township Board of Trustees does hereby adopt the proposed amendments to the Sugarcreek Township Personnel Policies and Procedures Manual (copy hereto attached) effective January 1, 2015.

BE IT FURTHER RESOLVED, that this Sugarcreek Township Personnel Policies and Procedures Manual shall supersede all previous personnel policies.

FURTHER BE IT RESOLVED, that a copy of the Personnel Policies and Procedures Manual will be available to each employee via the M:drive as well as a hard copy that will be distributed to each department no later than December 21, 2014.

D. Resignation of Part-time Captain Ginger B. Williams

Resolution #2015.01.05.02

WHEREAS, Fire Captain Ginger B. Williams has submitted her letter of resignation from the Sugarcreek Township Fire Department; and,

WHEREAS, Ms. Williams has been a member of the Sugarcreek Township Fire Department since May 27, 2002; and,

WHEREAS, Chief Randall J. Pavlak recommends we accept the resignation of Ginger B. Williams,

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Ginger B. Williams effective December 15, 2014.

E. 2014 Township Highway System Mileage Certification

Resolution #2015.01.05.03

WHEREAS, this Board of Township Trustees has received the 2014 Township Highway System Mileage Certification from the Greene County Engineer; and,

WHEREAS, this Report indicates the 2014 Ohio Department of Transportation changes in road mileage,

NOW THEREFORE, BE IT RESOLVED, that this Report, as presented and reviewed, is accepted by this Board of Township Trustees.

FURTHER, BE IT RESOLVED that a signed copy will be returned to the Greene County Engineer.

Chief Pavlak said a Shadow Box was being made for Capt. Williams with appropriate items to recognize her service and contributions to the Department. He said he had a meeting scheduled for the 12th but because of requests to reschedule, due to the Ohio State game, he moved it to the 26th.

Mr. Tiffany said, regarding the Personnel Policies, Chief Pavlak had asked about the probationary period. He said he and Karen had researched the O.R.C. and could not find the information they were looking for. Mr. Tiffany said, with regard to our discussion on cellphones, he talked to several other entities and all had a policy that allowed for partial reimbursement, for use of personal phones, instead of Township phones. He said reimbursement schedules varied with employment position and anticipated Township usage.

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

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

11. Agenda Items

A. Appointment of Board of Zoning Appeals Alternate Gerry Smith

Resolution #2015.01.05.06

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

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

WHEREAS, Gerry Smith has expressed his desire to serve on the Board of Zoning Appeals in an Alternate Member capacity for five years,

NOW THEREFORE, BE IT RESOLVED, that Gerry Smith is hereby appointed to the Board of Zoning Appeals as an Alternate Member for a term beginning February 1, 2015, and expiring on January 31, 2020. (Said appointment made pursuant to Ohio Revised Code Section 519.13.)

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. Bryant - Yes

B. Authorize the Township Administrator to Enter into an Agreement with MBI Solutions

Resolution #2015.01.05.04

WHEREAS, Resolution 00.03.15.15 authorized the Sugarcreek Township Board of Trustees to establish a program of user fees for Emergency Medical Services (EMS) provided by the Sugarcreek Township Fire Department; and,

WHEREAS, Resolution 2001.06.04 authorized an agreement with MBI Solutions, Inc. for the collection of EMS user fees; and,

WHEREAS, in an effort to reduce costs, the Sugarcreek Township Fire Department investigated other companies that provide billing service for EMS user fees; and,

WHEREAS, it was found that MBI Solutions is still able to provide this type of service and offered a reduction in their rates from 8.5% to 6.5% of the net amount received by Sugar creek Township from accounts on which MBI initiated billing when submitted electronically. Sugar creek Township shall pay MBI 7% of net amount received by Sugar creek Township from accounts in which MBI initiated billing for transport data submitted manually,

NOW THEREFORE, BE IT RESOLVED, the Sugar creek Township Board of Trustees authorize the Township Administrator to sign the attached contract between Sugar creek Township and MBI Solutions, Inc. for the purpose of collecting EMS user fees with an effective date of January 6, 2015

Mr. Bryant 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. Bryant - Yes

Mr. Tiffany said that Chief Pavlak negotiated with them and brought down the costs. Mr. Bryant asked who the new rates applied to. Chief Pavlak said all billing for EMS, residents and non-residents. He said for residents we accept what their insurance pays. He said non-residents are responsible for the entire billing, even what their insurance doesn't cover.

C. Awarding of Contract Bid for the Clio Road Phase II Project

Resolution #2015.01.05.07

WHEREAS, Clio Road Phase II project is of great importance to economic development in Sugar creek Township and Greene County, and;

WHEREAS, all design and engineering for the project is complete and ready for construction, and;

WHEREAS, the Greene County Engineer's Office advertised and received bids for the project, and;

WHEREAS, it is the recommendation of the Greene County Engineer's Office that the bid be awarded to Eagle Bridge Co. as they submitted the lowest and best bid (see attached), and;

NOW THEREFORE, BE IT RESOLVED, this Board of Sugar creek Township Trustees hereby awards the contract for the Clio Road Phase II Project to Eagle Bridge Co.

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. Bryant - Yes

Mr. Bryant asked when construction was supposed to start. Mr. Tiffany said he thought within two to four weeks, but, until spring, anything done would be on the outsides of the existing road.

12. Trustee/Staff Discussion

Mr. Tiffany said Stacey Pollock is leaving Fishel, Hass, Kim and Albrecht. He said she has done a great job for us the last couple of years and suggested we follow her to her new employer. The Board had no objections.

Mr. Pittman said it was a nice meeting and thanked Mr. Bryant for his service as Chair for last year.

13. Executive Session

None.

14. Public Comments

None.

15. Adjourn

Mrs. Daugherty moved to adjourn at 8:27 pm. Mr. Bryant seconded. Roll was called and the vote was as follows:

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

Theodore L. Hodson, Fiscal Officer