

The Board of Trustees of Sugarcreek Township, Greene County, Ohio met in Regular Session on November 16, 2015 at 7:00 p.m., at 2090 Ferry Road, Bellbrook, Ohio 45305

The meeting began with Mr. Doug Barber filming Jim Martin, for a Documentary being produced in California. Mr. Martin was invited to the podium ,and he commented on his style of living, which he believes has led to such a long life. Mr. Martin and his wife paid cash for everything they owned. Mr. Tiffany stated that Betty White, Kirk Douglas, Dick VanDyke, and other celebrities and comedians will be included in this documentary. Mr. Barber said the documentary is scheduled to be released sometime in January/February, 2016.

1. Mrs. Daugherty called the session to order at 7 p.m.
2. Mr. Hodson called the roll with Board Members Mike Pittman, Scott Bryant, and Mrs. Daugherty being present. In addition to Mr. Tiffany, Township Administrator, others who signed in, were Jim Martin, Carolyn Destefani, Leroy Kressing, Barbara Burson, Donna Hellmann, Denise Moore, Mark Brescia, Jim Obert, and Jim Hogue.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. Appointment of Full-Time Police Officer Luke T. Terry.

RESOLUTION NO. 2015.11.16.01

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

WHEREAS, a vacancy exists within the classification of full-time Police Officer; and,

WHEREAS, the vacancy has been posted for application in accordance with township policy and the current labor contract; and,

WHEREAS, an assessment center was conducted which included testing in basic exercises, review board and personal interviews with the Chief of Police; and,

WHEREAS, after a review of all the candidates, Police Chief Michael A. Brown recommends this appointment, and confirms that there are funds available for this position in the 2015 operating budget,

NOW THEREFORE, BE IT RESOLVED, that Luke T. Terry is hereby appointed as full-time Police Officer effective November 2, 2015, at a pay rate of \$21.21 per hour,

payable on a bi-weekly basis, and subject to a one (1) year probationary period ending November 2, 2016.

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

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

Mr. Terry came forward . Chief Brown said we are fortunate to have Mr. Luke Terry. He is a life long resident of Sugarcreek Township. Mr. Terry's family members were present to witness Mr. Terry being pinned with his new badge. Mr. Terry was personally welcomed by the Board and Staff.

Pictures were taken.

5. Appointment of Part-Time Firefighter II/EMT Stephen Meade

RESOLUTION NO. 2015.11.16.12

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

WHEREAS, vacancies exist within the classification of part-time Firefighter/EMT; and,

WHEREAS, Stephen Meade has the necessary qualifications to serve in the capacity of part-time Firefighter II/EMT for the Sugarcreek Township Fire Department; and,

WHEREAS, Assistant Chief Zimmerman, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2015 Operating Budget.

NOW THEREFORE, BE IT RESOLVED, that Stephen Meade shall be appointed to the position of part-time Firefighter II/EMT within the Sugarcreek Township Fire Department at the pay rate of \$13.36 per hour effective November 16, 2015, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending November 16, 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

Mr. Bryant - Yes
Mrs. Daugherty - Yes

Mr. Meade came forward and was welcomed by the Board and Staff. Pictures were taken. Mr. Meade's family was not present.

6. Appointment of Temporary Part-Time Service Worker Terry Taylor

RESOLUTION NO. 2015.11.16.13

WHEREAS, the need exists to establish and maintain a viable work force within the Sugarcreek Township roads and Services Department; and ,

WHEREAS, the Board of Sugarcreek township Trustees has authorized the hiring of temporary part- time employees to assist with department functions such as mowing, road work, the removal of snow through the fall and winter seasons, and other projects as needed; and,

WHEREAS, Terry Taylor has applied for employment as temporary part-time service worker; and,

WHEREAS, Barry P. Tiffany, Township Administrator, recommends this appointment and has indicated that adequate funds are available in the 2015 budget for this position; and,

WHEREAS, that effective November 16, 2015, 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 Sugarcreek Township Trustees does hereby appoint Terry Taylor to the position of temporary part-time service worker at the rate of pay of \$11.25 per hour, payable on a bi-weekly basis.

FURTHER BE IT RESOLVED, this position is temporary in nature and is valid for one hundred and eighty (180) days beginning November 16, 2015 and ending May 16, 2016.

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

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

7. **Community Activities**

Mrs. Daugherty stated there is an upcoming 5K, "Wobble Gobble" at Sackett Wright Park on November 21st. No additional details were available.

8. Public Hearing

Mrs. Daugherty motioned to open the Public Hearing on Case ZC08-2015.1. Mr. Pittman seconded. Roll was called with vote being as follows:

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

Mrs. Tilford stated she would cover staff reports Case ZC08-2015.1 and Case ZC08-2015.2, concurrently. The cases are intertwined. The applicants being EDCI for the first case and Inverness Group, Inc. for the second case. The cases deal with the subject property of 3820 Upper Bellbrook Rd., and a property with the address of Upper Bellbrook Road. Mrs. Tilford had a power point presentation and provided an overview of the report, which covered both resolutions. The Staff Report will be appended to the permanent record.

Mr. Pittman asked about the density. Mrs. Tilford stated there is more open space, roughly an acre and a half, and the density did increase slightly.

Mr. Bryant asked if the overall lot size was the same. Mrs. Tilford stated yes. Mr. Pittman asked about the RV language. Mrs. Tilford stated that the BZC wanted the developer to be more detailed and clear in the language of the HOA Agreement. Mr. Pittman asked about the price range for the homes in those areas. Mrs. Tilford turned the question over to the developer, Mr. Obert.

Mr. Obert, Hills Developers, stated that their commitment is on written record, not in writing, but they will satisfy those commitments for the final agreement regarding language for RV parking, as well as donating some land to the Park District. Mr. Obert referred to his visual diagrams showing the site development layout complete with water features.

Mr. Bryant asked about an area in the cul-de-sac that looked to be congested when dealing with snow removal. Mr. Coper stated that both Mr. Tiffany and Mrs. Tilford had approved the layout, and they are aware of the concern, but felt it would be fine.

Mr. Coper described how the houses on the left side of the diagram ranged from \$350,000 and the right side, ranged from \$450,000. The neighborhoods will be considered one neighborhood, known as The Landings of Sugarcreek Township. The sales office is open at this time. There are no hard contracts yet, but a lot of interest. Once the streets are paved they anticipate sales to increase. The average of all of the lots is over 12,000 square feet. Overall, fewer lots than the original plan, but larger lot sizes with more open space.

Any other questions - None

Mrs. Daugherty opened the Public Hearing to comment.

Those Wishing to Speak in Favor: Mr. Martin said he served 15 years on the Zoning Board. He felt very satisfied with Mrs. Tilford overseeing the projects involving residential developers. Mr. Martin said when you slow down development, you don't take in new money. Mr. Martin is in support of the zoning issues and what is taking place.

Those wishing to Speak Against. No one spoke against.

Neutral Parties wishing to speak. Mr. Dan Hutchison, Upper Bellbrook Road, expressed concern for the safety of the children living in the new developments and crossing Upper Bellbrook Road. Mr. Hutchison asked about future provisions for access roads or pathways.

Mr. Tiffany stated that the Greene County Engineers will manage the traffic flow and other issues regarding the road. Mr. Tiffany stated total build out will take approximately 8-10 years. He said the County Engineers will be monitoring traffic closely and will take action as necessary. Mr. Tiffany said Upper Bellbrook Road would have turn lanes as necessary to get into the development and most likely the speed limit on the road would be dropped from 45 mph to 35 mph in the future.

Mr. Bryant asked about the researching of street lighting. Mr. Bryant expressed the desire to keep feel of the rural character of the area. Mr. Obert stated his experience is that families want some sort of lighting, and he was waiting on a response from Miami Valley Lighting on fixtures. Mrs. Tilford stated that language would be added stating that any street lighting shall be located outside of the public right of way and shall be dark sky compliant fixtures.

Mrs. Daugherty motioned to close the public hearing. Mr. Bryant Seconded. Roll was called with the vote being as follows:

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

RESOLUTION NO. 2015.11.16.02

IN RE: Approval of a Map Amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) Parcel L32000100120023500, 24.499 acres located on Upper Bellbrook Road

WHEREAS, EDCI II Partnership has submitted an application for a map amendment to the Sugarcreek Township Zoning Resolution to rezone 24.499 acres located on Upper Bellbrook Road; and,

WHEREAS, the Greene County Regional Planning and Coordinating Commission has reviewed the applicant's request for a map amendment; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a public hearing on October 13, 2015, and has recommended approval of the requested map amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development); and,

WHEREAS, the Sugarcreek Township Board of Trustees held a public hearing on November 16, 2015, and deliberated on the application,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby approve the applicant's request for a map amendment from R-PUCD (Residential Planned Unit Conservation Development) District to PUD-R (Residential Planned Unit Development) for Parcel L32000100120023500, 24.499 acres located on Upper Bellbrook Road.

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

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

RESOLUTION NO. 2015.11.16.03

WHEREAS, Inverness Group, Inc. is requesting a Major Modification to the approved Preliminary Development Plan for The Landings at Sugarcreek subdivision. The Landings at Sugarcreek contains 115.189 total acres, can be identifiable as parcel L32000100120001900, and is located at 3820 Upper Bellbrook Road; and,

WHEREAS, the applicant is requesting the addition of 24.499 acres (surrounded on the north, south and east by the Landings at Sugarcreek subdivision) known as Upper Bellbrook Road, identifiable by parcel L32000100120023500 and owned by EDCI II Partnership to the Landings at Sugarcreek subdivision and other modifications related to the addition; and,

WHEREAS, the Greene County Regional Planning and Coordinating Commission has reviewed the applicant's request and has recommended that it be considered for approval; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a Public Hearing on October 13, 2015, deliberated on the application, and has recommended approval of the Major Modification to the approved Preliminary Development Plan for The Landings at Sugarcreek subdivision, subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The Development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. The use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum are acceptable for use in trim, soffits, fascia, gutter board, vents, shutters, windows, doors, shakes, scales and architectural accents such as cornice.
6. Final Development Plan approval shall include a condition of approval adopting the design standards as specified in the HOA documents (to be provided at the time of Final Development Plan submission).
7. The developer shall research dark sky compliant light fixtures, with lighting to be addressed again at the Final Development Plan stage.
8. The HOA documents shall be updated prior to the Final Development Plan stage to address the concern about the timeframe permitted for RV parking.

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on November 16, 2015, and deliberated on the application;

NOW THEREFORE BE IT RESOLVED, that this Board of Trustees does hereby approve the Major Modification to The Landings at Sugarcreek subdivision as requested

by the applicant, subject to the conditions recommended by the Board of Zoning Commission.

Mr. Bryant moved to accept the Resolution as presented with the change to #7, the "dark sky" compliant language. Mr. Daugherty seconded. Roll was called with the vote being as follows:

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

9. Reports

Administrator - Mr. Tiffany's report will be appended to the permanent record. He said he had nothing to add to his report.

Fiscal Officer - Mr. Hodson said he had nothing to Report.

Fire - Assistant Fire Chief Zimmerman said she had nothing to add. The report prepared by the Fire Department will be appended to the permanent record.

Police - Chief Brown said the report prepared by the Police Department will be appended to the permanent record.

Roads and Services. The report prepared by the Roads and Services Department will be appended to the permanent record.

Mr. Tiffany acknowledged the Salt Issue. Final report for analysis for the sample report does not meet the criteria (failed on 4 out of 5 criteria). Mr. Tiffany stated the salt will be picked up at \$9/ton for them to ship it back. It will cost them to have our road crews to load the salt. Mr. Tiffany stated no one wants this salt as it is like "table salt"- too fine. The company will be making a new shipment to replace the bad salt. Mr. Tiffany is also researching the purchase of a new truck.

Zoning - The report prepared by Zoning will be appended to the permanent record. Mrs. Tilford said she had nothing additional.

Information Technology - Nothing to Add. The report prepared by Information Technology will be appended to the permanent record. Mr. Zappanti said he had nothing to add.

Trustees

Mr. Pittman, said he attended the Greene County Township Association Meeting stating that Greene County has the highest literacy rate of the state. Mrs. Daugherty stated she also attended and found it very helpful.

10. Public Comments- Agenda Items
None

11. Old Business

Mr. Tiffany stated a meeting with the City of Bellbrook will be scheduled after the first of the year. Mrs. Daugherty stated she was also at the GCTA meeting and it was very informative.

12. New Business - Consent Agenda Items

- a. Approval of Meeting Minutes
- b. Payment of Bills
- c. 2015 Annual Report of Township Roadways

RESOLUTION NO. 2015.11.16.04

WHEREAS, the Board of Trustees has received the Annual Township Road Inventory Report from the Greene County Engineer; and,

WHEREAS, this Report has been reviewed by the Roads and Services Supervisor, Anthony Lamb, and the Township Administrator, Barry P. Tiffany, and found to be accurate as presented; and,

WHEREAS, this Report indicates the road names, length in miles, their condition as well as work completed the past twelve (12) months,

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

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

d. Resignation of Deborah Jay from the Board of Zoning Appeals

RESOLUTION NO. 2015.11.16.05

WHEREAS, Deborah Jay has submitted her resignation from the Board of Zoning Appeals, effective November 1, 2015; and,

WHEREAS, Mrs. Jay has served on the Board of Zoning Appeals in Sugar creek Township since 2008; and,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugar creek Township Trustees officially accepts Deborah Jay's resignation and publicly thanks her for her dedicated service to the citizens of Sugar creek Township.

e. Declaration of Excess Fire Department Equipment

RESOLUTION NO. 2015.11.16.06

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

WHEREAS, Assistant Fire Chief Joann Zimmerman, is requesting the attached list of items be declared as excess property; and,

WHEREAS, the items listed have a value of less than \$2,000 ,

NOW THEREFORE BE IT RESOLVED, this Sugar creek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of said property.

f. Declaration of Excess Road Service Department Equipment

RESOLUTION NO. 2015.11.16.07

WHEREAS, the Sugar creek Township Road Department has identified equipment which is no longer needed for operations, and;

WHEREAS, Service Supervisor, Tony Lamb is requesting the attached list of items be declared as excess property and sold "as is"; and,

WHEREAS, the items listed have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, this Sugar creek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of and/or place said property on GovDeals.com and sold "as is".

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

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

Discussion - Agenda Items

a. Increase Appropriations for Road and Bridge

RESOLUTION NO. 2015.11.16.08

WHEREAS, the need exists to increase appropriations for the Road & Bridge;
and,

WHEREAS, the Fiscal Officer has certified the availability of these funds within
the 2015 Budget, has provided this Board with the funding numbers and the Township
Administrator has provided the amounts to be appropriated:

Fund Name	From	To
2031 Road & Bridge	\$ 949,194.00	\$ 1,256,194.00

NOW THEREFORE BE IT RESOLVED, the increased appropriations shall be
made in accordance with the law.

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

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

b. Transfer of Appropriations

RESOLUTION NO. 2015.11.16.09

Debit		Credit	Account	Amt. of	
Fund	Number	Account #	Fund #	Name	Debit/Credit
2081	Police Department	3102	Bond Retirement	\$ 47,811.75	
2112	Fire Department	3102	Bond Retirement	\$ 66,025.75	

Total Transfers: \$113,837.50

Explanation of Transfers: Annual payment of bonds issued for the public safety building.

The foregoing transfer of appropriations was made on the 16th day of November 2015, and is recorded in the journal of Sugarcreek Township, Ohio.

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

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

C. Confirming Proposed Amendments to the RPCC Bylaws

RESOLUTION NO. 2015.11.16.10

WHEREAS, Sugarcreek Township Board of Trustees is a member of the Regional Planning and Coordinating Commission (RPCC) of Greene County, Ohio; and,

WHEREAS, the RPCC has Proposed modification of financial provisions in Section XI of its bylaws; and,

WHEREAS, Article 13.04 of the bylaws require any modifications of the financial provisions in Section XI to be amended only after it has been confirmed by the County Commissioners of Greene County and a majority of the participating political subdivisions, such action to be completed within six (6) months of the date of the proposed amendment by the County Commissioners approval; and,

NOW THEREFORE, BE IT RESOLVED, that the Sugarcreek Township Board of Trustees does hereby confirm the above-mentioned proposed amendments to the RPCC bylaws, including the financial provisions in Section XI.

Mr. Pittman asked Mrs. Tilford for comments. Mrs. Tilford explained that they are a worthwhile (RPCC) organization to be a part of and they have assisted us. The fees for membership has increased. Mr. Bryant was not in favor of the increase in membership fees. Mr. Pittman said the fee increased from \$1,100 to \$2,000, but it has been a long time since they have increased their fees. Mr. Bryant stated this is a great organization based on the services they provide. Mr. Bryant stated we are voting on whether we agree with the rate increase, not whether or not to be a member.

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

Mr. Pittman - Yes
Mr. Bryant - No
Mrs. Daugherty - Yes

d. Authorizing the Township Administrator to Submit for OPWC Financial Assistance for the Centerpointe Drive Extension Project and Act as signatory.

RESOLUTION NO. 2015.11.16.11

WHEREAS, the Sugarcreek Township Board of Trustees desire to extend Centerpointe Drive from its current terminus point, east and north to intersect with Clys Road; and,

WHEREAS, the extension of the roadway will help to facilitate economic development on the land it bisects which is currently undeveloped; and,

WHEREAS, through the Ohio Public Works Commission, (OPWC), District 11 currently has funding available in Round 30 to assist on roadway and other public infrastructure projects; and,

WHEREAS, initial estimates have been submitted for local review and have received preliminary approval for more than \$1 million dollars in grants, and the additional funding in the form of interest free loans to fund the project.

NOW THEREFORE, BE IT RESOLVED that this Board of Trustees for Sugarcreek Township does hereby authorize the Township Administrator to act as the signatory and formally apply for OPWC financial assistance in District 11 for the Round 30 cycle to fund the Centerpointe Drive Extension Project.

Mr. Bryant asked Mr. Tiffany about the amount of the grant. Mr. Tiffany stated the grant would be between \$1.1 and \$1.3, based on the number of projects in the pool. If any projects drop out, we could potentially be granted the full \$1.3.

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

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

13. Public Comments

Mr. Martin stated Case Law is very important. He had several case law documents he reviewed, and summarized that landowners have the right to determine jurisdiction for their property. Mr. Martin spoke about the Cornerstone Property issue, and was not happy that it took eighteen long months for the Township to make a decision. Mr. Martin stated Mr. Schieman recently put out erroneous information, prior to the election. Mr. Martin stated some businesses' have decided not to go to Cornerstone and offered anyone interested documents regarding those matters Mr. Martin stated he was originally all for the new Fire District, but now is having second thoughts. He stated the Township is excluding Cornerstone and he has concerns about the outcome of the court case. Mr. Martin stated Attorney Cloud, for the Dille family, said they were so frustrated at not getting an answer from Sugarcreek Trustees, Zoning and Planning for over eighteen months, that they entered into an annexation agreement with Centerville.

Jim Hogue stated he was happy that all the signs were taken down after calling Mr. Tiffany.

Barbara Burson, 1250 Sugarhill Lane, asked that a list of people Mr. Tiffany talked to about the Fire District. Mr. Tiffany stated he is not required to maintain a record, but the people he talked to came from casual conversation with residents.

14. Trustee/Staff Discussion

None

15. Executive Session

None

16. Adjourn

Mrs. Daugherty moved to adjourn at 8:40 p.m. Mr. Pittman seconded. Roll was called and the vote was as follows:

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

Theodore L. Hodson, Fiscal Officer