

RECORD OF PROCEEDINGS

1409

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 16148

Held

July 6,

2006  
(YEAR)

The Clearcreek Township Trustees met in regular session with the following members present: Mr. Lamb, Dr. McDonald and Mr. Wade.

Mr. Lamb moved to approve the minutes of the regular meeting on June 22, 2006. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea.

Dr. McDonald moved to approve pending warrants #17042 through #17211. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea.

Mr. Lamb moved to adopt Resolutions #3095, #3096, #3097, #3098, #3099, #3101, #3102 and #3103 levying special assessments on lands in Clearcreek township for the Ridgewood Estates Street Light District; Saramy Acres Combined Street Light District; Deerfield Reserve Street Light District; Cypress Ridge Phase II Street Light District; Cypress Ridge Phase III; Cypress Ridge Phase V Street Light District; Spring Meadow Estates Street Light District; Clearcreek Street Light District. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea. Copies of the resolutions are attached to these minutes and deemed a part of this record as if fully rewritten herein.

The Police report for the month of June was presented and discussed.

Dr. McDonald moved to approve the recommendation of the Chief of Police that Police Officer Angela K. Roberts having successfully completed her extended orientation period receive the status change from Probationary Police Officer to Permanent Full-time Police Officer and receive the appropriate pay increase from \$18.56 per hour to \$19.27 per hour effective 07-15-06. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea.

The Fire report for the month of June was presented and discussed.

Mr. Lamb moved to adopt Resolution #3104 accepting a donation from Mr. and Mrs. Joseph Proctor for the Clearcreek Fire District. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea. A copy of the Resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Dr. McDonald moved to approve the recommendation of the Fire Chief to offer the position of part-time Firefighter/EMT to Jarrod C. Ellis, Larry D. Carman, and Luke A. Drury. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea.

Mr. Lamb moved to approve the recommendation of the Fire Chief to accept Part-time Firefighter/Paramedic James Jewett's resignation effective July 6, 2006. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea.

The Fire Chief announced that the Clearcreek Fire District has been awarded the EMS Annual Grant for 2006-2007 for a total of \$3500.00 from the Ohio Department of Public Safety, Division of EMS.

The Zoning report for the month of June was presented and discussed.

Dr. McDonald moved to approve the recommendation of the Director of Planning & Zoning to schedule a Public Hearing for August 3, 2006 at 6:30 pm to consider the Stage 2 "B-1 PUD" application by Greg Sample of R G Properties agent for Clearcreek Associates. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea.

Mr. Lamb moved to adopted Resolution #3105 approving Exhibit "A", the Master Declaration of Protective Covenants and Restrictions for the Villages of Winding Creek R-1A PUD. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea. A copy of the Resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Dr. McDonald moved to adopt Resolution #3106 approving Exhibit "A", the second supplement to Master Declaration of Protective Covenants and Restrictions for the Villages of Winding Creek R-1A PUD. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Dr. McDonald-yea; Mr. Lamb-yea; Mr. Wade-yea. A copy of the Resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

# RECORD OF PROCEEDINGS

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held July 6, 2006  
(YEAR)

Mr. Lamb moved to approve the proposed paving program for the year 2006. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea.

Staff reports were presented and discussed.

Mr. Lamb moved to adopt Resolution #3107 authorizing an executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a Public Employee. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Lamb-yea; Dr. McDonald-yea; Mr. Wade-yea. A copy of the Resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

The executive session adjourned and the regular meeting reconvened at 8:25 pm.

The Chief of Police has recommended that the Board terminate the employment of Police Sergeant Jason L. Bates for just cause. Pursuant to the Collective Bargaining Agreement between the Township and the Fraternal Order of Police, Ohio Labor Council, Inc., the Board has conducted a hearing and has received evidence from the Chief of Police and from Sergeant Bates. Upon consideration of all evidence received, Mr. Wade moved that the Board sustain all charges against Sergeant Bates arising out of his misconduct on March 8, 2006 and issue a finding that termination for just cause is warranted under the circumstances, but that the Board stay these proceedings until the next regular meeting, July 20, 2006, at which time the Board shall entertain any proposal(s) presented by the Chief of Police, the Union and / or Sergeant Bates regarding appropriate alternative penalties for Sergeant Bates' misconduct. The motion was seconded by Dr. McDonald and upon roll call the vote was as follows: Mr. Wade-yea; Dr. McDonald-yea; Mr. Lamb-yea

With no further business to conduct the meeting was adjourned.

FISCAL OFFICER James A. Dalton

TRUSTEE Ed Wade

TRUSTEE Dr. McDonald

TRUSTEE R. Deane