

# RECORD OF PROCEEDINGS

1609

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 26, 2009  
(YEAR)

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

Mr. Lamb moved to approve the regular minutes on August 12, 2009 at 6:30 PM. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to adopt Resolutions #3575 and #3576 establishing the FEMA Fund to receive federal funds and amend the permanent appropriations resolution with supplemental appropriations. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea. Copies of these resolutions are attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Lamb moved to approve EFT drafts #2922 through #3028 and pending warrants #7122 through #7179. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to adopt Resolution #3577 determining that the maintenance of vegetation on a specific tract of land constitutes a nuisance. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea. A copy of this resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Lamb moved to adopt Resolution #3578 authorizing the Township Administrator to execute change order no. 5 for Performance Site Company relative to Patricia Allyn Park Phase IV. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea. A copy of this resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Wade moved to adopt Resolutions #3579, #3580, #3581, #3582, #3583, #3584, #3585, #3586, #3587, #3588 and #3589 levying a special assessment on lands in Clearcreek Township for the Soraya Farms, Phase 1, Street Light District; Country Brook North, Section 3, Locust Grove; Country Brook North, Section 4; Country Brook North, Section 5; Country Brook North, Section 6; Clearcreek Estates; Bello Vista; Villages of Winding Creek, The Falls; Villages of Winding Creek, The Legacy; and Villages of Winding Creek, The Meadows and Turning Leaf, Street Lighting District. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea. Copies of these resolutions are attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Lamb moved to approve the recommendation of the Township Administrator to establish Beggar's Night for October 31, 2009, from 6:00 PM to 8:00 PM. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to approve the recommendation of the Chief of Police that Officer Jeremy Branham having successfully completed his FTO program receive the appropriate pay increase from \$15.00 per hour to \$19.03 per hour effective August 26, 2009. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

Mr. Lamb moved to approve the recommendation of the Assistant Fire Chief to accept the resignation of Firefighter/Paramedic Matthew Eagle effective August 22, 2009. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to approve the recommendation of the Assistant Fire Chief to accept Firefighter/EMT Ryan Edgren's request to return to duty from a ninety day leave of absence effective August 29, 2009. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

Mr. Lamb moved to approve the recommendation of the Assistant Fire Chief to renew the Physio-Control/AED service contract. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to approve the recommendation of the Assistant Fire Chief to purchase kitchen cabinets for Station 21 from Sims-Lohman Fine Kitchens and Granite at a cost of \$3,709.18. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

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Held August 26, 2009 (YEAR)

Mr. Lamb moved to approve the recommendation of the Assistant Fire Chief to purchase 15 chairs from Edwards Furniture at a cost of \$7,499.95. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to approve the recommendation of the Assistant Fire Chief to initiate the part time Firefighter II/EMT process. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

Mr. Lamb moved to approve the recommendation of the Assistant Fire Chief to accept Firefighter/Paramedic Joshua Marchal's resignation effective August 26, 2009. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea.

Mr. Wade moved to adopt Resolution #3590 accepting bids for resurfacing roads and awarding the contract for the project. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

Staff reports were presented and discussed.

Mr. Lamb moved to adopt Resolution #3591 authorizing an executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. The motion was seconded by Mr. Wade and upon roll call the vote was as follows: Mr. Lamb-yea; Mr. Wade-yea; Dr. McDonald-yea. A copy of this resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

The regular meeting was recessed to convene an executive session at 6:44 PM.

After a brief discussion the executive session was adjourned at 6:54 PM and the regular meeting reconvened.

Upon consideration of all evidence received, Mr. Wade moved that the Board sustain all charges against Firefighter/EMT Justin Beil arising out of his misconduct on May 31, 2009 and issues a finding that termination for just cause is warranted under the circumstances, but that the Board would entertain a sixty (60) day suspension (time served) and a last chance agreement regarding appropriate alternative penalties for Firefighter/EMT Biel's misconduct. The motion was seconded by Mr. Lamb and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Lamb-yea; Dr. McDonald-yea.

With no further business to conduct the meeting was adjourned at 6:55 PM.

FISCAL OFFICER [Signature]
TRUSTEE [Signature]
TRUSTEE [Signature]
TRUSTEE [Signature]