

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held FEBRUARY 8, 2012 (YEAR)

The Clearcreek Township Trustees met in regular session at 6:30 p.m. with the following members present: Ms. Anspach and Mr. Gabbard. Mr. Wade was absent.

Mr. Gabbard moved to approve the regular meeting minutes of January 25, 2012. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

Mrs. Oda introduced Keith McFarland and Rick Floyd from Fifth Third Bank. They handle the Township's investment portfolio. Mr. Floyd went over the Township's portfolio's performance, and noted the Township's investments exceeded its 2011 goals.

Mr. Gabbard moved to approve Resolution #4158 amending the 2012 Temporary Appropriations to add additional funds to the 2031-330-390 account from \$4,500.00 to \$8,000.00 to pay for new computer software and a computer tablet that will allow the Township maintenance department to keep tighter controls on its sign programs. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Gabbard moved to approve the pending warrants #13297 through #13363 and Electronic Fund Transfers #10070 through #10175. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

Marty Heide from Congressman Mike Turner's office informed the Board about two special events coming up. The annual art competition for juniors and seniors is now under way. The top piece of art will be featured in the hallway under the Canon Building in Washington D.C. that leads to the Capitol. Other pieces will be displayed at the Dayton Art Institute. She noted that all area high schools have had materials delivered to them about the competition.

Mrs. Heide also noted April 21 at Centerville High School will be the annual Service Academy Day in which all students in grades 8-11 are encouraged to meet with all five branches of the military to consider their opportunities with the service academies.

Mr. Gabbard moved to approve Resolution #4159 to approve the application presented by David Oakes, agent for VWC Holdings LTD to amend the Clearcreek Township Zoning Resolution and Map for a total of 19.73 acres of land.

The rezoning request is within 175.2031 acre tract of land that has road frontage on State Route 48 and Lytle Five Points Road. The rezoning request is in the Villages of Winding Creek subdivision, in an area that was approved to contain a business node (16.71 acres) and areas approved to contain road right-of-way and open space (3.02 acres). The property is further identified by parcel ID number 05-27-410-0211. The property is located in Section 27, Town 3 and Range 5 in Clearcreek Township.

The rezoning is from Residence Zone with a Planned Unit Development Overlay "R-1A PUD" to Residence Zone with a Planned Unit Development Overlay "R-1A PUD" (16.84 acres) and Neighborhood Business Zone with a Planned Unit Developmental Overlay "B-1 PUD" (2.89 acres).

The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mark D'Urso, who represented Mr. Oakes at the meeting, was encouraged by Mr. Gabbard to give the Zoning Department more time in the future when changes need to be made.

Mr. Gabbard moved to approve Resolution #4160 certifying the changes to the Clearcreek Township road mileage during the calendar year 2011. There were 2.738 miles of additional roads added to the Township inventory, bringing its total to more than 79 miles. Township Maintenance Supervisor Scott Smith noted his staff maintains more than 90 miles of roadway when roads that have not been accepted by the County Engineer are factored. The motion was seconded by Ms. Anspach, and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Gabbard moved to approve Resolution #4161 authorizing the Township Administrator to publish a request for proposals for Township Law Director. Mr. Pickett noted the Warren County Prosecutor has been the Township's law director in the past and charged an annual fee of \$25,000.00. He said placing all of the legal professional services under the auspices of a single attorney or law firm designated as the Township Law Director offers the opportunity for the Township to receive more cohesive and efficient legal services. He said staff has identified about 30 attorneys/law firms that will be asked to submit a proposal and encouraged the Board to let him know if they had other attorneys/law firms that wanted to be involved in the process. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

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Chief Terrill gave the January Police District Report.

Mr. Gabbard moved to authorize a payment of \$8,747.00 for Clearcreek Township to participate in the Greater Warren County Drug Task Force. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

Mr. Gabbard moved to approve Resolution #4162 authorizing the Township Administrator to enter into an annual service contract for the Police District's uniform dry cleaning and laundry services, per for the FOP contract. He noted Capitol Cleaning has not raised its prices in three years. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Chief Kidd gave the January Fire District Report.

Mr. Gabbard moved to accept Firefighter/EMT AJ Laughlin as a permanent part-time employee and to move his pay from \$12.40 per hour to \$14.35 per hour, effective February 18, 2012. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

Mr. Pickett asked that item C-3 be removed from the agenda. The title of this item was Assistant Chief Promotion Recommendation.

Mr. Gabbard moved to accept a quote of \$20,076.00 from Vogelpohl Fire Equipment Inc. for the purchase of two Thermal Imaging Cameras (TICs) units Model MSA Evolution 5200 HD with Zoom #10097249 with charging kits. The price also includes training. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

Mr. Palmer gave the January Zoning Report.

Mr. Gabbard moved to approve Resolution #4163 determining that the condition of a specific tract of land classifies it as a dangerous property. Mr. Palmer noted this is the first situation like this that has occurred in the township in memory. The Warren County Combined Health District and the Warren County Building Department have ruled property at 9079 Bunnell Hill Road, Lot 9 Sycamore Park Subdivision is uninhabitable. Three years ago, the roof was blown off during a wind storm and never replaced. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Gabbard moved to approve Resolution #4164 authorizing the Township Administrator to enter into an annual service contract for the Township's sign data collection with Alden Systems Inc. of Alabama at an annual fee of \$1,250.00 plus an additional one time set up fee of \$1,250.00. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Mr. Gabbard moved to authorize the purchase of a computer tablet for the Township Maintenance Department that will operate the new sign software. The tablet will allow for mobility as data is collected through GPS. The tablet is a Motion J3500, and is heavy duty and built to be used outdoors. CDWG was the lowest bidder. With needed attachments, the total cost with shipping is \$2,874.90. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea. A copy of the resolution is attached to these minutes and deemed a part of this record as if fully rewritten herein.

The OTA newsletter was discussed.

With no further business to conduct, Mr. Gabbard moved to adjourn the meeting at 7:12 p.m. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea.

FISCAL OFFICER _____

TRUSTEE Ed Wade

TRUSTEE _____

TRUSTEE [Signature]