

RECORD OF PROCEEDINGS
Clearcreek Township Trustees

2449

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 27

2020
(YEAR)

The Clearcreek Township Trustees met in regular session at 9:00 a.m. with the following members present: Mr. Gabbard, Mr. Muterspaw, and Mr. Wade.

Mr. Wade opened the meeting and led in the Pledge of Allegiance.

Mr. Wade asked if the Board members had any consent agenda item or items that they wished removed. No removal from the consent agenda was requested.

Mr. Carolus, Fiscal Officer updated the Board on financing options for the proposed building project. He advised the Board that current interest rates are favorable for borrowing. He also noted that the upcoming election may cause some volatility in the rates being offered. Mr. Gabbard expressed his desire to understand the timelines for project implementation with emphasis on getting bids to lock in the numbers needed for borrowing. Mr. Gabbard stated his concern for the length of time that was needed to get the facilities study completed and how the six month window for start of construction after borrowing indicated a potential problem with getting the project started on time. Mr. Wade stated his concern about getting the project started with the current labor issues related to the coronavirus. It is becoming difficult to get labor for construction. Mr. Gabbard concurred with the assessment and added that material acquisition was becoming difficult as well. Mr. Clark, Township Administrator noted that he had been in contact with our study consultant firm, KZF, to finalize programming and to create a timeline for the construction processes. Mr. Clark also advised that he would be working with the Port Authority to further his understanding of the issues related with the project. Mr. Wade asked for a motion to direct Mr. Clark to proceed. Mr. Muterspaw so moved and Mr. Gabbard seconded the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Carolus noted he would be taking the Levy Resolution to the County Board of Elections once the meeting was over to make sure we met the deadline for levy submissions.

No Public Comments were noted.

Mr. Wade read Resolution 5238 – A Resolution to Proceed to Levy a Tax in Excess of the Ten Mill Limitation (3.75 mills) on a continuing basis, certifying to the Warren and Montgomery County Board of Elections that the question be put to the electors of the incorporated and unincorporated township at the November 3, 2020 General Election, dispensing with the second reading, and declaring an emergency. Mr. Gabbard moved to approve Resolution 5238. Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Palmer, Planning and Zoning Director, came before the Board to ask about a requested zoning modification for minimum setbacks required for agricultural structures on residential zoned properties of less than five acres in size. This relates to an email request from township residents Russell and Mandy Palmer, who reside at 6123 North State Route 48, requesting that zoning code 5.752(i), relating to animal protection structures, be modified from the current 85 feet from any property line to 125 feet from any neighbor's dwelling. Mr. Palmer noted that to meet the current requirements a property would require at least two acres of land. Mr. Wade stated he had talked with a resident who wanted to have a 4H animal and to meet the requirement built a 10 foot wide building even though they were some distance from any neighbor. Mr. Wade wanted to have Mr. Palmer look into revising the current code. Mr. Palmer asked for guidance on how the Board wanted to proceed. Mr. Wade asked that further information be made available to the Board before proceeding with any changes.

Mr. Muterspaw moved to approve the Annual Service Agreement with Stryker Corporation for inspection and maintenance of the Township's 30 Automated External Defibrillator (AED) units at a cost not to exceed \$12,216.60. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

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Mr. Wade asked Fire Chief Agenbroad if he had an update on the fatal fire that occurred on Hathaway Road. Chief Agenbroad stated a State Fire Marshal investigation was underway and that the structure was heavily damaged which required heavy equipment for access to the scene.

Police Chief Terrill advised the Board that Corporal's Barton and Bates had completed the final classes in the FBI's LEEDA Trilogy course work. This is a three module program to develop supervisory skills in officers who may wish to advance their career within the department. The classes required about one and a half years to complete along with the adjustments made necessary by the current coronavirus pandemic. Mr. Wade congratulated them on their accomplishment.

Mr. Gabbard moved to approve the Consent Agenda as presented to the Board:

- 1 Approval of Minutes – July 13, 2020, Regular Session.
- 2 Current Bills & Financial Reports.

Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Clark updated the Board with information on the Township owned property at 6908 North State Route 48. All repairs have been completed and a contract for sale should be coming to the Board soon. Mr. Clark advised that the Township's insurance quote has been received and will be reviewed by the insurance committee to bring forward a recommendation to the Board for renewal. Mr. Clark noted he would be bringing a supplemental appropriation and purchase agreement for the acquisition of an excavator and trailer at the next Board meeting. Mr. Clark advised all contracted paving had been completed with a bill for payment at the next meeting. Mr. Clark advised that the potential extension of the Woodgrove subdivision connection drive that had been discussed in prior meetings had been rejected due to excessive costs. Alternative plans to the extension are being developed with further information being brought to the Board.

Fire Chief Agenbroad thanked the Board, Fiscal Officer and Staff for their support in the Levy request.

At 9:17 a.m., Mr. Wade asked if the Board wished to go into executive session pursuant to Ohio Revised Code 121.22(G)(1) to consider the employment, dismissal, discipline, demotion, or compensation of a public employee, or the investigation of charges or complaints against a public employee. Mr. Muterspaw moved to enter executive session. Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

At 9:44 a.m., the Board unanimously agreed to resume the regular meeting.

With no further business to conduct, Mr. Gabbard moved to adjourn the meeting at 9:44 a.m. Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

FISCAL OFFICER *Russell Stowers Jr*

TRUSTEE *Ed Wade*

TRUSTEE *SA Muterspaw*

TRUSTEE *[Signature]*