

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

JANUARY 25,

2012

Held

(YEAR)

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

Ms. Anspach moved to approve the special meeting minutes of January 9, 2012 and the regular meeting minutes of January 11, 2012. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mrs. Oda gave the Fiscal Officer's report.

Mr. Gabbard moved to approve Resolution #4149 amending the 2012 Temporary Appropriations to add additional funds to the 2917-220-215 account from \$10,000.00 to \$45,000.00 to pay for the retirement of the SAFER grant Firefighters/EMS personnel. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-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.

Ms. Anspach moved to approve the pending warrants #13194 through #13296 and Electronic Fund Transfers #9960 through #10069. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

At 6:36 p.m. Mr. Gabbard moved to recess into a Public Hearing to consider the application presented by David Oakes, agent for VWC Holdings LTD to amend the Clearcreek Township Zoning Resolution and Map for 19.73 acres of land from "R-1A PUD" to "R-1A PUD " and "B-1 PUD". The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea; Mr. Wade-yea.

The Board heard from Zoning Director Jeff Palmer, Mr. Oakes, and 11 residents at the meeting and another who sent in a letter. All residents were in agreement with Mr. Oakes's request. The residents who spoke on behalf of the changes included Chris Sickels, Connie Sawdey, Russ Elliott, Russell Griswold, Jonathan Scanlan, Mike Fehrman, Joe Lill, Tony Thompson, Juan Rios Vazquez, and Roger Jones. Additionally, Mike and Linda Millhouse sent a letter of support. After a lengthy discussion, Ms. Anspach moved to close the Public Hearing at 7:24 p.m. The motion was seconded by Mr. Gabbard, and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

All three trustees expressed their desire to vote in favor of the changes. Administrator Dennis Pickett suggested tabling the resolution until staff could rework the Resolution to more accurately reflect the proceedings. The trustees were in agreement with Mr. Pickett's suggestion. Resident Jeff Glackin urged the trustees to take action that night. Mr. Wade said the resolution would be voted upon at the Feb. 8, 2010 meeting.

Mr. Gabbard moved to table the resolution until the Feb. 8, 2010 meeting. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea; Mr. Wade-yea.

Ms. Anspach moved to approve Resolution #4150 authorizing the Township Administrator to renew the service agreement with Govdeals Inc. for the auctioning of various surplus goods, The motion was seconded by Mr. Gabbard, and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-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.

Mr. Gabbard moved to approve Resolution #4151 determining that certain equipment is no longer necessary and may be sold through Internet auction. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-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.

Ms. Anspach moved to approve Resolution #4152 authorizing the Township Administrator to terminate the service contract with Glacial Energy of Ohio Inc. and to reinstate Duke Energy Retail Sales LLC to be the township's commercial electricity supplier at a cost not to exceed \$.047kWh. The contract is through December 31, 2013, and Duke Energy Retail Sales LLC waives any lost revenues for the time Clearcreek Township was a Glacial Energy customer. The motion was seconded by Mr. Gabbard, and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-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.

Mr. Gabbard moved to approve Resolution #4153 authorizing the Township Administrator to enter into an annual service contract with Buckeye Power Sales of Blacklick, Ohio for the township's emergency generators at a cost of \$2,010.00. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-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.

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Ms. Anspach moved to approve Resolution #4154 authorizing the Township Administrator to enter into an annual HVAC inspection and service maintenance agreement with Watkins Mechanical Services Heating & A/C of Springboro, Ohio at the same cost of 2011. The motion was seconded by Mr. Gabbard, and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-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.

Mr. Gabbard moved to approve the annual fee for the Miami Valley Crime Lab of \$6,550.00. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea; Mr. Wade-yea.

Ms. Anspach moved to accept the resignations of part-time Firefighters/EMTs Chris Perkins and Tom Swimeley effective immediately. The motion was seconded by Mr. Gabbard, and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Gabbard moved to approve Resolution #4155 accepting an anonymous \$1,500.00 donation to the Clearcreek Fire District. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-yea; Mr. Wade-yea.

Ms. Anspach moved to appoint Representatives and Alternates to the Warren County Regional Planning Commission for the term April 1, 2012 to April 1, 2013. The three representatives are Jeff Palmer, Dan Puthoff and Chief Bob Kidd. The alternates are John Edelmann, Ed Wade and Asst. Chief Tim Simpson. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

Mr. Gabbard moved to approve Resolution #4156 authorizing the Township Administrator to enter into an annual service maintenance agreement with AAA Wastewater Services Inc. of Franklin, Ohio for regular and accessible portable toilets at Patricia Allyn Park at a cost of \$65 per month for the regular portable toilets and \$75 a month for the accessible ones. AAA Wastewater Services Inc. had lower bids that Rumpke of Cincinnati and M&C Little Johns of Hamilton, who declined to bid on the accessible portable toilets. The motion was seconded by Ms. Anspach and upon roll call the vote was as follows: Mr. Gabbard-yea; Ms. Anspach-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.

Resolution #4157 CAO

At 7:46 p.m. Ms. Anspach moved to adjourn into Executive Session to consider the purchase of property for public purposes. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

At 8:24 p.m., the trustees resumed public session and with no further business to contact, Ms. Anspach moved to adjourn the meeting. The motion was seconded by Mr. Gabbard and upon roll call the vote was as follows: Ms. Anspach-yea; Mr. Gabbard-yea; Mr. Wade-yea.

FISCAL OFFICER

TRUSTEE

TRUSTEE

TRUSTEE

Handwritten signatures for Fiscal Officer and three Trustees.