

RECORD OF PROCEEDINGS

1891

Minutes of

Clearcreek Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

FEBRUARY 13,

2013

(YEAR)

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

Ms. Anspach moved to approve the regular meeting minutes of January 23, 2013 and the special meeting minutes of January 31, 2013. 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 and noted the finance office has completed a new software installation, and as such, some of the reports staff and the Board receive may be slightly different than in the past.

The Board also signed off on the monthly Fund Status report, which showed the township with cash on hand of \$13,142,817.64.

Mr. Gabbard moved to approve pending warrants #15360 through #15433. 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 #4322 amending the Permanent Appropriations Resolution with Supplemental Appropriations. 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.

Warren County Sheriff Larry Sims gave his annual report to the Board.

Mr. Gabbard moved to recess the meeting into a Public Hearing at 6:47 p.m. to consider the text amendment which clarifies definitions, refines standards for buffer and screening, Board of Zoning Appeals and civil proceedings and constitutionality for the Clearcreek Township, Warren County, Ohio, Zoning Code. 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.

There were no comments by the Board or Public.

At 6:49 p.m., Ms. Anspach moved to adjourn the Public Hearing. 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 #4323 Exhibit 2012-1, an amendment that clarifies definitions, refines standards for buffer and screening, Board of Zoning Appeals and civil proceedings and constitutionality for the Clearcreek Township, Warren County, Ohio, Zoning Code. 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, including a copy of the text amendment, is attached to these minutes and deemed a part of this record as if fully rewritten herein.

A Public Meeting to consider the request of David Oakes, agent for VWC Holdings LTD for modifications to the Stage 2 approval for the Villages of Winding Creek R-1A PUD was held. This request was to modify Trustee Resolution 3632 condition 36 Architectural Requirements for Exterior Finishes. Mark D'Urso represented VWC Holdings LTD. Russ Elliott spoke on behalf of his wife Mary and himself, and said he felt the new modifications were a good compromise.

Ms. Anspach moved to approve Resolution #4324 allowing David Oakes, agent for VWC Holdings LTD the modifications to the Stage 2 approval for the Villages of Winding Creek R-1A PUD, This request was to modify Trustee Resolution 3632 condition 36 Architectural Requirements for Exterior Finishes. 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.

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A Public Meeting to consider the request of David Oakes, agent for VWC Holdings LTD for a Stage 2 Preliminary Site Plan Review for The "Villages of Winding Creek" R-1A PUD The Boulevards at Winding Creek Section Four was held. Mark D'Urso represented VWC Holdings LTD.

Mr. Gabbard moved to approve Resolution #4325 and the request of David Oakes, agent for VWC Holdings LTD for a Stage 2 preliminary site plan review for the Villages of Winding Creek R-1A PUD, The Boulevards at Winding Creek Section 4. 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 #4326 authorizing the Township Trustees to enter into an agreement with Enterprise Liquids Pipeline LLC for roadway use and maintenance pursuant to pipeline construction. The Warren County Engineer recommended townships take this action to make certain they do not encumber additional maintenance costs when pipelines are constructed through township roadways. The engineer's office will manage this agreement. Mr. Wade asked Mr. Pickett to talk to the engineer's office in order to find out more information on the pipeline, including the owners, timelines, etc. 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 #4327 approving Cathy Anspach as the Warren County Township Association's representative on the 9-1-1 Planning Committee for the purpose of revising Warren County's 9-1-1 Final Plan. 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, including a copy of the agreement, is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Ms. Anspach moved to approve Resolution #4328 certifying the changes to the Clearcreek Township road mileage during calendar year 2012. The mileage has gone up slightly from 79.883 to 79.941 miles of public roads. 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 #4329 which rescinds Resolution #3606 and authorizes the Administrator to enter into a photocopier agreement with Woodhull of Springboro at a price of \$330.00 per month. This will save the township about \$40 per month, and will allow the township to work with a local vendor. 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, including a copy of the agreement, is attached to these minutes and deemed a part of this record as if fully rewritten herein.

Chief Terrill gave the January monthly Police District Report

Ms. Anspach moved to authorize the annual payment to Miami Valley Crime Lab for testing services during 2013 at a cost of \$7,500.00. 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 authorize the annual payment for 2013 for the township's participation in the Greater Warren County Drug Task Force at a cost of \$8,747.00. 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.

Chief Kidd gave the January monthly Fire District Report, as well as the 2012 Annual Report. While structural fires were up in 2012, overall calls were down slightly.

Ms. Anspach moved to approve Resolution #4330 authorizing the sale of unnecessary equipment to the Warren County Career Center. The township is selling 18 Self Contained Breathing Apparatus (SCBA) units that are no longer needed for \$1. Chief Kidd noted the WCCC has offered training opportunities to the fire district for many years at no cost to the township. 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.

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Mr. Gabbard moved to purchase six replacement mobile data computers and associated hardware from CDW-G at a cost not to exceed \$25,539.06, and 10 Windows 7 operating system upgrade licenses at \$140.00 each. Total cost of the project is \$26,939.06. Chief Kidd noted most of the money for the project will come from Loeb grant money. 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 purchase a replacement rear bay door for Station 21 from A.E. Door Sales at a cost of \$17,007.00. Additional wiring will be needed. The work will be performed by Reliable Electric at a cost of \$550.00. The total cost of the project is \$17,557.00. 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 allow the Fire District to apply for the 2013-2014 Ohio Department of Public Safety/Division of EMS grant program. If awarded, the state EMS grant provides funding for equipment and training aids. 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.

Mr. Palmer gave the January monthly Zoning Department report.

Ms. Anspach moved to approve Resolution #4331 determining that the maintenance of a specific tract of land constitutes a nuisance. 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 allow the purchase of a 2013 four wheel drive 2500 Chevrolet Silverado from White Allen Chevrolet at a cost of \$22,391.00. The truck will be upfitted with a utility body from the K.E. Rose Company at a cost of \$10,977.00. This brings the total cost of the truck to \$33,368.00. 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.

Under the comment section, Mr. Gabbard expressed his appreciation to maintenance worker Dennis West, who presented at the annual Ohio Township Association conference in February.

Mr. Wade presented Chief Kidd with a framed certificate acknowledging his completion of the National Fire Academy's Executive Fire Chief program. It took four years to complete this certification.

With no further business to conduct, Ms. Anspach moved to adjourn the meeting at 7:27 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.

FISCAL OFFICER

TRUSTEE

TRUSTEE

TRUSTEE

Handwritten signatures for Fiscal Officer and Trustees over their respective labels.

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