

## TURTLECREEK TOWNSHIP BOARD OF TRUSTEES

ON

OCTOBER 29

19

The regular scheduled meeting of the Board of Trustees of Turtlecreek Township was held on October 29, 2019 at 8:00 a.m. with the following persons present:

TRUSTEES: Dan Jones and Jonathan Sams. Jim VanDeGrift was absent.  
FISCAL OFFICER: Amanda Childers was absent.  
RECORDING SECRETARY: Jennifer Niehaus  
GUESTS: Steve Flint, Mike Jameson, Ron Chasteen, Tammy Boggs

The meeting opened with Mr. Jones leading the Pledge of Allegiance.

Department Reports:

### Fire/EMS:

Chief Steve Flint reported that the department had received an award from the Warren County Board of Disabilities for our support of their "Things That Go" event.

Assistant Chief Mike Jameson commented on the possible re-homing of our old fire hose to the Cincinnati Zoo, which is still pending. He reported all the new hose is now in service. Chief Jameson requested approval to send Capt. Campbell to the Step Up and Lead one-day seminar given by the Warren County Fire Chiefs' Association on Dec.5, for which tuition is \$55.00, and the Trustees agreed with the township funding the fee. In continuance of discussion of the titling and insurance on the EMA tractor-trailer currently under Turtlecreek stewardship, Mr. Jameson described two options under consideration: 1) Warren County Fire Chief's Association may take on the responsibility or 2) City of Lebanon may agree to house, title, and insure the vehicle. This matter will be decided at the WCFCFA meeting next week.

### Road and Bridge:

Ron Chasteen, Supervisor, discussed the need to install a new tailgate on the large orange dump truck which would cost about \$2165 with Galion-Godwin Truck Body or Clearcreek Metalcraft, LLC will fabricate one for \$1,550.00. Ms. Boggs stated that this truck was bought (used) in 2013 for \$45,000, and we have spent ~\$14,500 in repairs in the ensuing 6 years, making the average yearly maintenance cost on this vehicle around \$2,675.00. Mr. Sams made a motion, seconded by Mr. Jones to replace the tailgate from Clearcreek Metalcraft LLC for \$1,550.00. All voiced a "YEA" and the motion was passed with **Resolution 19-10-17**. (A copy of the Resolution is included in the minutes.)

Mr. Chasteen also reported on the ongoing repairs to Kirby Road edges.

### Administration:

Ms. Boggs presented the following items:

Regarding whether an assessment can be made on residents for community Warning Sirens, there is no statute which allows this.

Ms. Boggs reported that insurance for Employee Dishonesty and Faithful Performance of Duty Policy versus our current Trustee bonds is acceptable. Mr. Sams made a motion to accept such policy, seconded by Mr. Jones. All voiced a "YEA" and the motion was passed with **Resolution 19-10-14**. (A copy of the Resolution is included in the minutes.)

Concerning ratifying purchases to Costco \$159.90, Target \$19.23, Liberty Art Works \$145.00, B & E seal Coat \$105.01, Momentum Worx LLC \$1,775.00, and ExAir Corp \$106.00, Mr. Sams made a motion to ratify purchases, seconded by Mr. Jones. All voiced a "YEA" and the motion was passed with **Resolution 19-10-15**. (A copy of the Resolution is included in the minutes.)

To enter into an agreement with Warren Co. Soil and Water for MS4 permit for Station 32/Central Facility to comply with EPA standards, Mr. Sams made a motion, seconded by Mr. Jones. All voiced a "YEA" and the motion was passed with **Resolution 19-10-16**. (A copy of the Resolution is included in the minutes.)

Warren County Regional Planning submitted Charleston Place Preliminary Plan for review for re-application, due to time expiring. The Trustees have requested that the preliminary plan meet the zoning requirements. A letter will be sent to Regional Planning regarding this matter.

Warren County Regional Planning Submitted Shaker Run Section Four Phase D to the Board, to which they and Chief Flint request that the plan comply with the PUD and zoning. A letter will be sent to Regional Planning regarding this matter.

Warren County Regional Planning submitted Miami Valley Gaming Revised PUD Stage 2 for review by the Trustees, and noted that the proposed hotel on that site is now to be 11 stories instead of 16. The Trustees requested that the plan comply with the PUD and zoning requirements. A letter will be sent to Regional Planning regarding this matter.

Ms. Boggs discussed the request by Miami Valley Gaming to obtain a TIF/CRA for the new parking garage and hotel, which would be an abatement of taxes. Ms. Boggs pointed out that the addition of lower compensation jobs in the hotel would not compensate for the loss of the property tax base during that time, while simultaneously multiplying the venue's need for services (road maintenance, EMS, and Fire) that would burden the township. Her opinion was that this scenario is not fiscally sound, and the Trustees agreed that the TIF/CRA was not supportable.

The Central facility has 6 computers and 1 laptop due to be replaced, as their Windows 7 is no longer supported. Total cost would be \$4,268.76. Mr. Sams made a motion to approve the purchase, seconded by Mr. Jones. All voiced a "YEA" and the motion was passed with **Resolution 19-10-18**. (A copy of the Resolution is included in the minutes.)

**General Reports:**

**CORRESPONDENCE:**

**IN:**

- Letter from Village of South Lebanon regarding municipal building dedication and open house.
- Email from Premier Health regarding what a great job our crew did during a run to the hospital.
- Letter from State of Ohio, Division of Liquor Control regarding the licensing fee distribution.
- Letter from WC Rural Zoning Inspection regarding a zoning violation for Michael Pannichella at 1097 Hart Road.
- Letter from WC Rural Zoning Inspection regarding a zoning violation for Alicia Davis at 3000 Keever Road.
- Letter from WC Rural Zoning Inspection regarding a zoning violation for Dale & Brenda Kristof at 455 Natalie Lane.
- Letter from WC Regional Planning regarding Charleston Place Preliminary Plan.
- Letter from WC Regional Planning regarding Shaker Run Section Four Phase D.
- Letter from WC Regional Planning regarding Miami Valley Gaming Revised PUD Stage 2

**OUT:**

- Letter to WC Rural Zoning Inspection regarding Lebanon Equine Clinic Reality/Lebanon Animal Clinic LLC regarding variance request.
- Letter to WC Regional Planning Commission regarding Charleston Place 3<sup>rd</sup> Addition

**Fiscal Officer Reports:**

None.

**Other Business:**

None.

**Visitor Concerns:**

None.

**Trustee Reports:**

There being no further business, Mr. Sams made a motion, seconded by Mr. Jones to adjourn the meeting. All present voiced a "YEA" vote and the motion passed.

The next regular meeting is scheduled for November 11, 2019 at 7:00 P.M.

Signed: \_\_\_\_\_ Board Vice Chairperson

Attest: \_\_\_\_\_ Recording Secretary

**RESOLUTION 19-10-14  
TURTLECREEK TOWNSHIP  
WARREN COUNTY, OHIO**

**RESOLUTION FOR EMPLOYEE DISHONESTY AND FAITHFUL  
PERFORMANCE OF DUTY**

**WHEREAS, Turtlecreek Township, Warren County is a member of the Ohio Township Association Risk Management Authority (OTARMA), a political subdivision risk pool established pursuant to Ohio Revised Code hereinafter "ORC," 2744.081;**

**WHEREAS, House Bill 291 was signed into law on December 20, 2018 and became effective March 20, 2019; authorizes the use of an, "employee dishonesty and faithful performance of duty policy," instead of individual surety bonds, for trustees, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties; and**

**WHEREAS, in accordance with ORC 3.061, the township must adopt a policy by resolution to allow the use of an "employee dishonesty and faithful performance of duty" coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; the following shall apply to the policy:**

1. An officer, employee, or appointee shall be considered qualified to hold the office or employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law.
2. An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual's term of office or employment and the officer, employee or appointee shall not commence the discharge of duties until coverage is documented.
3. All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.
4. The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law.
5. Elected officials, prior to taking the oath of office and holding office, shall obtain approval of the intent to use the township's OTARMA coverage agreement and affirm that the township's coverage complies with ORC 3.061. Said approval shall be obtained by the  
Turtlecreek Township, Warren County.

**WHEREAS, Turtlecreek Township, Warren County's, "employee dishonesty and faithful performance of duty policy" through the OTARMA coverage document complies with ORC 3.061: and**

**NOW, THEREFORE, BE IT RESOLVED, that on this date October 29 2019, the Turtlecreek Township, Warren County hereby authorizes the township to purchase and use "employee**

**dishonesty and faithful performance of duty policy” through OTARMA instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.**

Resolution was initiated by Mr. Jones and seconded by Mr. Sams. All voiced a “YEA” vote and the motion was passed.

Adopted this 29<sup>th</sup> day of October, 2019

Signed: \_\_\_\_\_ ” YEA”

\_\_\_\_\_ “YEA”

Attest: \_\_\_\_\_ Administrator

**TURTLECREEK TOWNSHIP BOARD OF TRUSTEES  
WARREN COUNTY, OHIO**

Resolution Number: 19-10-15

Date of Resolution: October 29, 2019

**TOPIC OF RESOLUTION: BOARD RESOLUTION SUBSEQUENTLY APPROVING EXPENDITURES NOT EXCEEDING TWENTY-FIVE HUNDRED DOLLARS BY TOWNSHIP ADMINISTRATOR OR TOWNSHIP OFFICER OR EMPLOYEE AUTHORIZED BY TOWNSHIP ADMINISTRATOR**

**RESOLUTION**

**WHEREAS**, this Board adopted Resolution Number 16-04-12, dated April 26, 2016, authorizing the Township Administrator to incur obligations on behalf of the Township not to exceed Two Thousand Five Hundred Dollars, and further authorizing the Township Administrator to authorize other Township Officers and Employees to incur obligations on behalf of the Township not to exceed Two Thousand Five Hundred Dollars; and,

**WHEREAS**, pursuant to section 507.11 (A) of the Ohio Revised Code, and Section 3 of the aforementioned Resolution, the obligations incurred by the Township Administrator on behalf of the Township, or that the Township Administrator authorizes a Township Officer or Employee to incur, shall be subsequently approved by adoption of formal resolution of this Board at the next regularly scheduled Board meeting after receipt by the Township Fiscal Officer of proper voucher for the obligation or obligations incurred; and,

**WHEREAS**, this Board has been notified by the Township Fiscal Officer she is in receipt of a proper voucher or vouchers for obligations incurred by the Township Administrator or authorized Township Officer or Employees, a copy or copies of which are attached hereto.

**THEREFORE, BE IT RESOLVED** by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, at least a majority of all Trustees casting a vote concur as follows:

Section 1. This Board does hereby subsequently approve the obligations incurred by the Township Administrator or Township Officer or Employees on behalf of the Township, a copy or copies of the vouchers of which are attached hereto.

Section 2. That the Board is acting in its administrative capacity in adopting this Resolution.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting

of the Board in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Jones moved adoption of the foregoing Resolution, being seconded by Mr. Sams. Upon call of the roll, the following vote resulted:

|           |     |
|-----------|-----|
| Mr. Jones | YEA |
| Mr. Sams  | YEA |

Resolution adopted this 29<sup>th</sup> day of October, 2019.

CERTIFICATION:

The undersigned does hereby certify that the foregoing is a true and accurate copy of the above Resolution adopted on the aforementioned date by the Board of Township Trustees.

SIGNATURE: \_\_\_\_\_

NAME: Tammy Boggs

TITLE: Administrator

DATE: \_\_\_\_\_

**RESOLUTION 19-10-16  
TURTLECREEK TOWNSHIP  
WARREN COUNTY, OHIO**

**RESOLUTION TO ENTER INTO AN AGREEMENT BETWEEN  
TURTLECREEK TOWNSHIP AND WC SOIL & WATER  
CONSERVATION DISTRICT AND AUTHORIZE  
DANIEL F. JONES TO SIGN AGREEMENT**

**WHEREAS**, the Turtlecreek Township Board of Trustees shall enter into an agreement with WC Soil & Water Conservation District; and

**WHEREAS**, the Turtlecreek Township Board of Trustees have elected to join WC Commissioners as a co-permittee on the EPA National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permit; and

**WHEREAS**, the WC Soil and Water Conservation District will provide assistance to Turtlecreek Township in meeting the terms of the permit as a co-permittee; and

**WHEREAS**, the Turtlecreek Township Board of Trustees authorize Daniel F. Jones to sign said agreement.

**THEREFORE**, by motion of Mr. Jones and seconded by Mr. Sams the above resolution was approved. All voiced a "YEA" vote and the resolution passed.

Adopted this 29<sup>nd</sup> day October, 2019

Signed: \_\_\_\_\_ " YEA"

\_\_\_\_\_ "YEA"

Attest: \_\_\_\_\_ Administrator

**RESOLUTION 19-10-17  
TURTLECREEK TOWNSHIP  
WARREN COUNTY, OHIO**

**WHEREAS**, the Road Department has a need to purchase a new tailgate 6 panel for the dump truck; and

**WHEREAS**, the price for the tailgate is \$1,550.00 from Clearcreek Metalcraft, LLC; and

**WHEREAS**, the source of the funds for will be the Road Department Fund (2031-330-323-0000 Repairs).

**THEREFORE, BE IT RESOLVED** by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall approve the purchase of the tailgate 6 panel.

Resolution was initiated by Mr. Sams and seconded by Mr. Jones. All voiced a "YEA" vote and the motion was passed.

Adopted this 29<sup>th</sup> day of October, 2019

Signed: \_\_\_\_\_ "YEA"

\_\_\_\_\_ "YEA"

Attest: \_\_\_\_\_ Administrator

**RESOLUTION 19-10-18  
TURTLECREEK TOWNSHIP  
WARREN COUNTY, OHIO**

**WHEREAS**, the township has a need to purchase six (6) new desktop computer and one (1) laptop for the Road Department, EMS Department, and General Administrative;

**WHEREAS**, the cost of the computer items will be the approximately \$4,268.76; and

**WHEREAS**, the source of the funds for the purchase of the computers will be the EMS Fund (2191-230-430-0000 Small Tools and Minor Equipment in the amount of \$1,948.68), Road Department (2031-330-430-0000 Small Tools and Minor Equipment in the amount of \$1,299.12), and the General Fund (1000-110-430-0000 in the amount of \$1,020.96).

**THEREFORE, BE IT RESOLVED** by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall approve the purchase of the computer items.

Resolution was initiated by Mr. Sams and seconded by Mr. Jones. All voiced a "YEA" vote and the motion was passed.

Adopted this 29<sup>th</sup> day of October, 2019

Signed: \_\_\_\_\_ "YEA"

\_\_\_\_\_ "YEA"

Attest: \_\_\_\_\_ Administrator

End of Minutes.