

RECORD OF MEETINGS
BUTLER TOWNSHIP, MONTGOMERY COUNTY, OHIO

DAYTON LEGAL BLANK, INC.

MINUTES, WEEK OF JANUARY 25, 2016

The Board of Trustees met on Monday, January 25, 2016, at the Butler Township Government Center, 3780 Little York Road, Dayton, Ohio, at 7:00pm for a Regular Session to transact the business of the township.

Michael Lang, President, called the meeting to order.

APPROVAL OF MINUTES

The Minutes of January 11, 2016, Regular Session, were submitted for approval. Joe Flanagan made a motion to approve the Regular Session Minutes of January 11, 2016, as submitted, with Nick Brusky seconding and Michael Lang approving the motion.

NEW BUSINESS

PRESENTATION – BY LAUREN BOWEN

Lauren Bowen with the Ohio State Treasurer's Office provided details about Open Checkbook. She stated they are trying to make public records more assessable on-line. She indicated that in 2014 the State Treasurer's Office decided to publish all of the State's expenditures on-line in a check book style ledger presentation so that the citizens of Ohio could track how their tax dollars were being spent. She mentioned that they have been able to display this through October of 2016 and have been able to expend it to local governments. She stated that she is there to see if Butler Township has an interested and be willing to partner with their office to publish the township's spending on-line. She indicated that she would stay and answer any questions the board may have until the conclusion of the meeting.

Mr. Brusky asked if there was a cost involved with the program or charging townships or local governments for this service in the future.

Ms. Bowen stated that it is free and they do not anticipate during their tenure to be charging local governments any costs for the use of the program.

Mr. Brusky further questioned if this tool would post our financial public records on-line through the Treasurer's website and placing a link to the township's website.

Ms. Bowen indicated yes it would.

Mr. Lang asked would there be a penalty down the road if the township decided that the program was not working out.

Ms. Bowen stated there would be no penalty involved.

Mr. Lang stated that it is his understanding that it works with our current software so there is not much of a change internally, such as how they are during things or creating an additional burden on our staff.

Ms. Bowen stated no, absolutely not.

Mr. Adams stated that he had met with Lauren before and it looks like it would be a good idea.

Mr. Flanagan questioned if they proceeded would the township then be the third township to obtain the program.

Ms. Bowen stated yes.

Mr. Flanagan questioned as far as what people can access, would it be a quarter or annual report that would be viewed.

Ms. Bowen explained that it would be the township's option on how frequently the township updates.

Mr. Brusky questioned how far back the program could obtain records.

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Ms. Bowen stated that is generally up to the township and most UAN users post 3 years of financial data, but again it would be the discretion of the township. She indicated that she would be on board helping getting the process implemented.

Mr. Lang questioned if they would decide to move forward what would be the process.

Ms. Bowen stated that she would need to know who to work with on the UAN system within your township and navigate them through a few simple steps that should only take 10 minutes.

Nick Brusky made a motion to direct the Acting Administrator to work with the State Treasurer's Office to implement the on-line check book for Butler Township, as submitted, with Joe Flanagan seconding and Michael Lang approving the motion.

Resolution #16-05 was submitted, authorizing the Acting Township Administrator to Contract with Ferno Washington for the Purchase of Three (3) Self Contained Powered Patient Loading Systems for the Fire Department. Joe Flanagan made a motion for approval of Resolution #16-05, as submitted, with Nick Brusky seconding and Michael Lang approving the resolution.

Resolution #16-06 was submitted, amending the Butler Township Personnel Policy, Section 2, A. Types of Appointments. Joe Flanagan made a motion for approval of Resolution #16-06, as submitted, with Nick Brusky seconding and Michael Lang approving the resolution.

Resolution #16-07 was submitted, to table the Contract with the Montgomery County Sheriff's Department for the Position of Interim Police Chief in the Police Department until the February 8th meeting. Joe Flanagan made a motion to table Resolution #16-07, as submitted, with Nick Brusky seconding and Michael Lang approving tabling the resolution.

INFORMAL BUSINESS

Deputy Chief Rob Streck reported that the entire department had a meeting to discuss goals and relationships that the agency would like to see moving forward. He gave his thanks to the department and to everyone who has made him welcomed. He noted that some of the goals were to get patrols out onto the township roads such as the rural areas and plats more. He stated that they removed the preferred arrest policy from Wal-Mart, because of the amount of time it takes and it gives the officers more discretion on their decision making. He stated that in the policy the way it was written if they would come into contact with someone that needed to be arrested at Walmart, they would be sent to the County jail. He explained if they did not get arrested than an explanation would be needed in the report. He noted that again it would put the discretion in the officer's hands. He indicated that it was discussed to strengthen the neighborhood watch programs, which is important to everyone. He also noted that there was discussion pertaining to the relationships between administration and the union.

Chief Alig had no further business to report.

Fiscal Officer Mark Adams reported that he will attend the OTA meeting in Columbus.

Trustee, Joe Flanagan reported that he also will be attending the OTA meeting. He reiterated that at the last meeting he had discussed having a budget review committee. He stated that they have a draft form of that out for review. He explained that he hopes to have it prepared before the board for review and adoption very soon.

Trustee, Nick Brusky reported he will be at the OTA meeting as well. He stated that additionally he has meet with some members of the community about the budget committee and it is important that we engage members of the community to be unbiased in reviewing the township's finances.

Trustee, Michael Lang reported that they all have been meeting with people individually and that we are going to do something to add more transparency and perhaps a different approach at looking at the budget would be a worthy idea. He

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would like to also ask the Acting Administrator to put together Workshop for the next meeting for the purposes of budget discussion, goal setting and the process of a search for an Administrator. He indicated that he would like a draft of that sent to the board, so that they can get that sent out as soon as possible. He also appreciates Deputy Chief Streck for coming in. He stated that there are always things in an organization that needs to be changed and that some things aren't as bad as others thought they were. He also noted that the amount of time the Chief would be spending here will not be full-time but the contract needs to be looked at regardless. It would remain his position that the Township does not pay for the services from the Sheriff's Department, from the discussion they had at the last meeting.

Acting Administrator, Erika Vogel reported on behalf of the Service Department that they are ready to move forward on a candidate and hopes that in the next few days to write a conditional offer of employment to a new service department employee. She noted that the department will be up to 5 people and the salary was budgeted for 2016.

Mr. Brusky stated that if future hires are made in the Service Department, he thinks the Township should take a second look at the no smoking policy that was implemented for health insurance rates. He noted that if this is a service department requirement, there may be an issue with hiring CDL holders in the future.

Ms. Vogel stated with respect to the Administration, Zoning and Economic Development, she had no further business to report.

AUDIENCE

Ruth Kistler at 7500 Turtle Back Drive had a question pertaining to the OTA meeting and the budget committee to possibly bring in someone on a State level to help with finding additional funds for the township somewhere.

Mr. Flanagan stated that the draft does address the members that would include someone from the Board, the Fiscal Officer, the Township Administrator and 5 citizens. He indicated that is a good point that we could reach out to the OTA and to have someone else help with some of the issues or to take a new look on how we are doing things.

Ms. Kistler indicated that she had another question about something mentioned at the last meeting. She stated that maybe it was said in error, but it was said more than once that the Chief Deputy's services from the Sherriff's Department were going to be free of charge to the township. She indicated that now the board will be discussing a contract and some of stipulations that are needed and now it is referencing payment to the County. She stated that not only her, but several other residents are confused. She asked if the township is paying for this or not.

Mr. Lang stated that we have paid nothing yet, but apparently it is a requirement by state law that those services be reimbursed for whatever amount time he is here, so that is correct.

Ms. Kistler added that someone was misinformed and there were trustee's that said it was going to be free of charge to the township.

Mr. Flanagan stated that this would be the third time that he had to use the Sheriff's Office. He stated that each time, the township would pay for the services and that he was under no impression that we would not have to pay for that service. He indicated that the Sherriff was misinformed and that it was not him.

Janet Wood, representative for Red Roof Inn, 7370 Miller Lane stated that they have been there since 1976 and she indicated that they also paid their taxes, always supported Butler Township and did not oppose to the JED-Z. She stated also that they have great faith in the police department and what they have done recently. She stated that the comment about removing part of the progress that has been made has her little concerned. She stated that the policies were in place so they don't have same problems over and over again. She indicated that she and some of the other businesses would like to know if they are going to remove any of the other services from the businesses. She explained that taking people to jail was part of the package. She also wanted to know if they have plans for a meeting with the businesses and discussion of

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these changes in the policy and what they will and won't do to the criminals that come to their businesses.

Mr. Flanagan stated that they had a meeting today with Jamie Walters with Residence Inn and she is the representative for the businesses and she will try and reach out to everyone so this can be discussed. He stated that they would not arrest in all cases, it would be on some cases if the officer's feels a citation would be warranted over going to jail. He indicated that his personal feelings are the Miller Lane area is short shafted for the amount of money they pay, both in property taxes and the JEDZ for the amount of services that they get. He stated that the meeting today was to discuss how to improve the services to Miller Lane and to the residents of Butler Township. He stated that there will be a follow up meeting with all the hotel owners and managers involved regarding any policy procedures.

Deputy Chief Streck stated that part of today's meeting was based on concerns that there are not enough patrols around the hotel areas. He stated that they're not telling the officers they can't take someone to jail, but to use their own discretion. He stated that now they are trying to figure out how to patrol the township and also work the Miller Lane/N. Dixie area and provide the patrol that the businesses want as well. He stated they want to provide the best services with the amount of vehicles and officers they have available.

Ms. Wood stated that their services are very good and she would like to know when the businesses will meet to discuss these issues.

Deputy Chief Streck stated that one of the goals is to start up that business group again. He indicated that he agreed that response time is good and they just need to work together to provide the best service for everyone in the Township.

Beth Cooper at 7649 Painted Turtle Drive stated that Chief Streck reached out to her over a week and half ago in an effort to keep our neighborhood watch group going and she wanted to recognize that publicly. She indicated that they had talked briefly after the last meeting and he has already made an effort to continue that good relationship between the neighborhood watch and the police department and that she wanted to thank him.

Ms. Cooper then asked Mr. Brusky at the last meeting he had mentioned a Rule 17 of Professional Conduct Standards; she wanted him to elaborate on that.

Mr. Brusky stated that regards the policy that the township has in speaking to the media.

Ms. Cooper questioned is it just about the media or speaking in general.

Mr. Brusky stated that it is about speaking to the media and it's about our chain of command and which employees are authorized to speak to the media in a particular manner.

Ms. Cooper asked is there anything in your Professional Standards that addresses profanity in our township meetings.

Mr. Brusky stated no but he would speak of what happen in at the last meeting.

Ms. Cooper apologized for interrupting and meant no disrespect to the Board. She continued to further reference that the "F" bomb dropped was heard around the township and city.

Mr. Brusky stated that there were multiple uses of profanity and if it as a member of this Board, behind the dais, he would introduce a motion to censure the profanity, because he thinks it is uncalled for. He further stated that if it is an employee that is under our command, we will follow disciplinary procedures. He stated that he was offended by the speech that was used not only on camera but there were other instances of it as well.

Mr. Flanagan explained that they had adjourned the meeting at the point when that occurred.

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Ms. Cooper indicated that there was profanity used throughout the meeting and it was also used by her beloved Chief (Cresie).

Mr. Flanagan at this point apologized for those actions.

Ms. Cooper thanked the Board for their time and for listening to her.

Mr. Brusky stated that the Board needs to move forward and choose their words correctly, whether they are curse words or words that provoke anger. He stated that we should talk about policies and get the personalities out of the way.

Mr. Flanagan stated that he is in agreement with Mr. Brusky.

Mr. Lang stated that he also agreed and that they have to get the job done and that the issue is now closed.

EXECUTIVE SESSION

Joe Flanagan made a motion for approval to recess into Executive Session at 7:37pm to discuss the purchase or sale of public property and personnel matters in the Police Department, as submitted, with Nick Brusky seconding and approving the motion. At roll call, the vote resulted as follows:

Joe Flanagan, aye
Nick Brusky, aye
Michael Lang, aye

Joe Flanagan made a motion to exit Executive Session and to reconvene into Regular Session at 8:05pm, with Nick Brusky seconding and Michael Lang approving the motion. At roll call, the vote resulted as follows:

Joe Flanagan, aye
Nick Brusky, aye
Michael Lang, aye

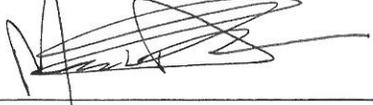
As a result of Executive Session Mr. Flanagan made a motion to have the Acting Township Administrator enter into an agreement for services with the Montgomery County Sherriff's Office, to allow Chief Deputy Rob Streck to perform the functions of the Chief until a suitable replacement is appointed to the Police Chief's position, as submitted, with Mr. Brusky seconding and Mr. Lang voted against and therefore the motion was approved.

Nick Brusky reported that the trustees have reviewed the financial statements and mde a motion for approval to pay the bills of the township, as submitted, with Joe Flanagan seconding and Michael Lang approving the motion.

Nick Brusky made a motion for approval to adjourn the meeting at 8:06pm, with Joe Flanagan seconding and Michael Lang approving the motion.



MICHAEL LANG
PRESIDENT



MARK ADAMS
FISCAL OFFICER