

Approved

Bellbrook-Sugarcreek Merger Study Commission Meeting

Minutes

September 2, 2009

1. The meeting was called to order at 7:00 PM by Mike Shank, Co-Chairperson of the Merger Study Commission.
  
2. Mr. Shank called the roll with Commission members Tom Frantz, Dr. Sam Staley, Bill Berry, Howard Ackerman, Ron Folkerth, Charlie Schwegman, Donna Hellmann, and Joan Gallagher present. Linda Hummel was not present, but arrived shortly after the meeting started.
  
3. Others present were Jim Tharpe, Harold Rogers, Scott Bryant, Mark Schlagheck, Barry Tiffany, Denny Bennett and Jeremy Kelley.
  
4. The minutes from the August 5, 2009 meeting had been circulated and were presented for approval. Mr. Shank stated that the word goggled instead of googled appeared but other than that there was no discussion. Mrs. Gallagher made a motion to approve the minutes with Mr. Frantz seconding the motion. All vote yes and the motion passes unanimously.
  
5. Barry Tiffany made a presentation on the Vulnerability of Annexation for Sugarcreek Township. Essentially the presentation reviewed all the properties in the Township with their owners that had a potential of being annexed by bordering cities such as Kettering, Centerville, Beavercreek, Xenia and Bellbrook. Mr Tiffany illustrated locations of the properties with maps which made it easier to assess the vulnerability of each property.

Mr Tiffany noted an important fact that in cases where a government entity such as schools, park districts, cities or townships properties are contiguous with these vulnerable properties, then the property beyond the government entity was also vulnerable for annexation. Mr Tiffany stated that certain Zoning Regulations in the Ohio Revised Code were created to prevent townships from buying property to protect against annexation by cities.

In discussion it was also noted by Mr Tiffany that Bellbrook had the potential to annex Sugarcreek Township property. Mrs. Gallagher commented that through the years under the leadership of Mayor Mary Graves, that Bellbrook respected the borders of Sugarcreek Township. There had been several instances when developers, who were not satisfied with the Sugarcreek Township Board of Zoning's decisions approached Bellbrook asking for annexation. These requests were met with the statement that Bellbrook wasn't interested in annexing Sugarcreek Township property.

6. The agenda for the September meeting included a discussion of the Interim Report from the Mercer Group, Inc. Jim Mercer was tasked to send the report to Co-chairperson Joan Gallagher for distribution to the Commission the weekend before the meeting. Mr Mercer was also to attend the meeting. Unfortunately the Mercer Group sent a Progress Report rather than the anticipated Interim Report. As a result Mrs. Gallagher stated that she didn't feel there was a reason to spend money on Mr. Mercer traveling to the meeting to discuss why there was no Interim Report.

Mr. Shank stated that a unilateral decision made by Mrs. Gallagher to tell Mr. Mercer not to come to the meeting was unacceptable. There are questions that he had for him. He added that to say he is unhappy is an understatement! Ms. Hummel stated that he could be called, but Mr. Shank stated that he should be at the meeting. He said that he never received an e mail stating Mr. Mercer shouldn't come to the meeting and that he works for the Commission and is answerable to the Commission, not just one person. Mrs. Gallagher stated that she sent Mr. Mercer an e mail and asked that the Interim Report be sent so she could distribute it to the Commissioners. He assured her that would occur. When she received the

report, she sent it to everyone then e mailed Mr. Tiffany and Mr. Schlagheck and stated that it didn't look like an Interim Report but a Progress Report instead. She said that she didn't get a revised schedule and an updated report until the day before the meeting. She noted that she is also not happy that Mr. Mercer didn't inform her earlier that she wasn't going to get an Interim Report. If he would have told her that, then the Commission would have had time to do something. Dr. Staley commented that since Mr. Shank and Mrs. Gallagher are Co-chairs, he would like to see them talking to each other on a more regular basis.

7. At this point there was concern about Mercer's ability to produce. Mr. Tiffany stated that Mercer has taken a lot of information from their website, but that there was still a lot of work to be done on an analysis. There has been a lot of gathering of information, but it still has to be put together. Mrs. Hellmann asked if there is anything that can be done by the Commissioners to help things move faster. Mr. Tiffany stated that he didn't think that there was. Dr. Sam Staley asked Mr. Tiffany and Mr. Schlagheck if they felt that the percentages of work completed have been embellished? Mr. Schlagheck stated that some of the percentages probably have been, by what he knows has been done. He stated that the collection percentage is probably accurate because they have asked for hundreds if not thousands of pages of documents. Mrs. Hellmann asked where they were with conducting interviews. Mr. Schlagheck stated that Mr. Mercer has sent e mail questionnaires to all department heads in Bellbrook and they all have responded, but he has not verbally spoken to anyone in the Bellbrook Service Department. Mrs. Hellmann stated that if Mr. Mercer was doing the interviews himself and was having trouble getting them completed, he needed to delegate them to someone else.

Mr. Tiffany stated that he has talked to Tom Doherty, who is handling the financial models several times and is very confident in the information that he will generate. Mr. Schlagheck stated that he has seen the budget models and there is a lot of work to be done to show what a merger would look like combining the models of the City and the Township.

Mr. Schwegman stated that he was concerned about Mercer's ability to produce something of value for next month and that Mr. Mercer needed to be at next month's meeting regardless of his progress. He also wanted to see within a week or so, an outline of the Interim Report that's due in three weeks. He stated that by seeing an outline it will be obvious the kind of report he will have and the progress that has been made. Mrs. Hellmann stated that if he has "bitten off more than he can chew"; he needs to delegate someone to the project that can finish the interviews and get that information collected. She said that interviews were supposed to be completed in week 4, and it is now past that. Because of that part not being completed, the financials can't be done. Mrs. Gallagher talked about the revised schedule of Mercer's which incorrectly says that the Merger Commission recently asked for assistance with areas most susceptible to annexation. Mrs. Gallagher stated that since Mr. Tiffany had given the presentation about the same topic, that could be eliminated. Ms. Hummel stated that the Commissioners probably have different ideas of what the Interim Report should include, and questioned how they can make sure they get the information they are looking for. Mr. Schwegman brings up the fact that it's possible that they will get the Interim Report and it's not what the Commissioners were expecting. He stated that this is why they need an outline to have an idea of where they are. Mrs. Hellmann made the comment that if Mercer knows now that things are not going the way they expect, at least they will have time to get on target by the October meeting.

8. Mr. Tiffany asked what is the Commission's expectation of the Interim Report? He stated that it seems that the Commission is looking for definitive answers on an interim basis. He agreed that it is a good idea to find out what Mercer is going to provide in October. Then if it is not what they are expecting, the Commission can tell him they want and find out when it will be available. Mr. Schwegman suggested they all look at the original statement of work and decide if that will give them the information they want.

Mrs. Hellmann stated that she would like to see that the conducting of interviews is done and that he interviewed the people whom he outlined, such as the Roads, Police, and Fire Departments on the City and Township. Mr. Tiffany stated that in the Interim Report, he wants to see that everyone was interviewed, compiled numbers, reviewed operations and indications where there may be problems, and

advantages. Mrs. Hellmann asked that as far as the conducting of interviews, is Mr. Mercer waiting for any information or documents from the Township or City which is holding the process-up, and is it documented?

Dr. Staley stated that he is looking for more than just an Interim Report. That looking at the percentages, he feels that they should be at the point of making a rough outline of where things are. He thinks that they should list areas where they are weak, and how they are going to complete the project. He agreed that Mr. Mercer should be at the October meeting and a clear message needs to be sent that they must meet the benchmarks on time considering the time restraint the Commission has. Mrs. Gallagher agreed with Mr. Staley's comment and adds that the reason they chose the Mercer Group was because of their expertise, and that they have conducted projects like these previously.

Mr. Berry added that there should be definite red or green flags as to where they are at after the October meeting. Mrs. Gallagher said that the group from University of Toledo had trouble getting information completed for Centerville and that this is nothing new in this area of work. Mrs. Hellmann asked Mr. Schlagheck when he was in Centerville and dealing with the University of Toledo if they had a lot of "slippage". He responded that they didn't have the time frame issue there, but it was a longer process than anticipated. Mr. Schlagheck stated that Mr. Mercer had most of the information he needed from Bellbrook, but needed to schedule meetings with Sugarcreek department heads.

Ms. Hummel suggested that Mr. Tiffany let Mr. Mercer know exactly what it is they are expecting since he is in contact with him. Dr. Staley made the comment that any slip in the time line they were given will have a substantial impact. Therefore as a Commission it is very important to stay on the benchmarks. Mr. Ackerman makes the recommendation that the two Co-chairs get together with Mr. Tiffany and Mr. Schlagheck. Mr. Tiffany responded by suggesting that an e mail be drafted to Mr. Mercer and forwarded to the Co-chairs that states exactly what they expect at the October meeting. Mr. Schwegman disagreed and made the comment he feels it's time to "smoke them out". He wants to see a request for an outline of the Interim Report.

Mr. Folkerth added that everyone has great ideas, but this is a learning curve, and suggests that having Mr. Mercer at the meetings would be nice since there have been many good ideas at the meeting. He also said that a speakerphone is an option, but added that they are missing-out by not having them at the meeting.

Mr. Berry commented on the fact that Mercer is not on schedule for interviews and asked if there are any appointments scheduled for the next two weeks? Mr. Frantz asked how many days Mr. Mercer has been in town ? Mr. Tiffany stated that he has been here two days. Mr. Frantz then stated that Mr. Mercer has until September 18<sup>th</sup> to finish interviews since there is a new timeline. Mr. Frantz raised the question that since there is a new revised plan is it something that needs a vote? He feels that because of some of the clerical errors in the new timeline, is it something he can even believe? Mr. Schwegman added that he thinks

Jim Mercer is testing us.

Mr. Shank summarized an Action Plan. Mr. Tiffany or Mr Schlagheck will draft a potential e mail for Mr. Mercer. It will then be forwarded to the Co-chairs for review. The Mercer response will be e mailed to the Commission. Mr. Tiffany asked to clarify what they are expecting. Mr. Schwegman stated that he would like financial information of both entities, of all revenues, and expenses shown with initial thoughts where it appears savings and expenses could be realized. Also, if the Fire Departments were merged, would that be a plus or minus? Mr. Shank added that if extra meetings are necessary, that can be done. Mr Schwegman commented that perhaps Mr. Mercer should be in town finishing interviews and “wrapping things up”.

9. The next topic on the agenda was the approval of payment of invoices. There was a \$50.00 invoice from the transcriber from the August 5, 2009 meeting that Mrs. Gallagher approved. Mrs. Gallagher made 21 copies of the agenda for the meeting.

10. Meeting schedule-October 7, November 4, December 2. More meetings may be added if necessary.
11. Web page reminder. Mrs. Hummel states that there have been no questions on the web page.
12. Additions to the agenda. Mrs. Gallagher added that Sugarcreek Township trustees approved the decision to put the Limited Home Rule on the November ballot.
13. There was no public comment
14. Dr Staley made a motion to adjourn. Mr. Folkerth seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:05PM