

**RECORD OF PROCEEDINGS
REGULAR**

Minutes of _____

Meeting _____

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held _____

April 8, 2003

Mr. Corman called the meeting to order at 6:00 p.m. The Board was in full attendance.

EXECUTIVE SESSION

Mr. Foglesong requested an Executive Session to discuss personnel and legal matters.

Mrs. Rielage motioned to adjourn into executive session. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"

The meeting reconvened at 7:10 p.m.

The Reverend Aiden Studebaker of Garden Park Unity Church provided an invocation.

Webelos Pack #660 of St. Ann provided the color guard and led the pledge to the flag.

Mrs. Rielage motioned to waive the reading and approve the minutes of the December 10, 2002 Regular Meeting. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"

Mrs. Rielage deferred the approval of the March 11 and March 25 Regular meeting minutes. Mr. Fiedeldey did not turn in changes until 3:30 p.m. today.

Mr. Fiedeldey said the draft minutes were not available until last Tuesday.

PRESENTATIONS

Officer Swearing In Ceremony, Chief Sarver

Chief Sarver introduced Roger Solomon and administered the oath. Officer Solomon was given his badge and pictures were taken.

SHERIFF'S REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the monthly statistics to Chief Sarver.

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TRUSTEES' REPORT

Mrs. Rielage – announced that Mr. Foglesong was re-elected to the OTARMA board. She also announced that the Board sent a certificate of recognition to Walter Vahn, resident and employee of Breyer Center, for being a kidney donor.

Mrs. Rielage read letters of thanks to the Senior and Community Center and the Fire Department from the State Fire Marshal. The State Fire Marshal thanked the Senior Center for their hospitality to his office when they recently co-hosted a seminar with the Colerain Township Fire Department and he commended Captains Zoz and Reenan for their commitment to customer service and public safety as demonstrated in the above mentioned seminar.

Mrs. Rielage also read a thank you from the Colerain High School senior business seminar class to Frank Birkenhauer for his visit and talk.

Mr. Fiedeldey – questioned if the junk vehicle resolution has been prepared, as requested on February 18, 2003.

Mr. Reuter understood this to be included in the nuisance code along with the home maintenance code. He has not prepared anything, but will do so if the Board so wishes.

Mrs. Rielage understood this would be addressed as Mr. Reuter said.

Mr. Fiedeldey believes it is in the minutes that a resolution would be drafted.

Mr. Spriggs stated that the codes were to be addressed with wording appropriate for the next work session.

Mr. Fiedeldey would like to schedule regular meetings bi-monthly all year long, even in June, July and August.

Mrs. Rielage would like to have the second meeting of the month just for work sessions, no presentations, no public input, only Township business.

Mr. Corman feels we should keep the schedule as set for this year.

Mr. Fiedeldey does not agree. There is a lot of business that needs to be done and one meeting a month doesn't do it.

Mr. Corman stated that the schedule has been set and we should stick to it. He feels that if special meetings are needed, they will be scheduled. However, if additional meetings will be used to get business done and not create more, he is in favor. There are a lot of things that keep getting put off, and the Board needs to take action.

Mr. Fiedeldey motioned to designate the fourth Tuesday of each month, beginning in June and going through November, as work sessions, on a trial basis for 2003. Mrs. Rielage seconded the motion. Mr. Corman added that only the business scheduled will be addressed.

Mr. Fiedeldey	"Aye"
Mrs. Rielage	"Aye"
Mr. Corman	"Aye"

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Mr. Fiedeldey questioned the protocol for the April 29th OEPA meeting regarding Rumpke's pollution discharge permit application. He questioned if Mr. Reuter was going to handle it for the Township.

Mr. Reuter suggested the expression of the Board's position be prepared. Discussion regarding opposition to the pollution of Bank Lick Creek and the Great Miami River.

Mr. Fiedeldey asked Mr. Chapman to check Harrison Avenue for right-of-way signs.

Mr. Corman - stated that we need to move forward with the bond projects. Time is of the essence for the park, Public Work's building and fire station.

Mr. Corman questioned the status of the noise resolution and the posting of signs and the posting in the local newspapers.

Mr. Foglesong responded that an ad will be put in the paper, postings will go up at five locations and the signs to be posted are ready.

Mr. Corman informed Mr. Chapman of the problem reported by a resident on Zoeliner Drive.

Mr. Chapman said he would address the problem and contact the people.

CITIZEN'S ADDRESS

Zenith Strum-Smith, 2744 Barthas Place – stated that the roads in her area are crumbling and would like to know when repairs will be scheduled. She asked what the plan was for the Skyline Community Center.

Mr. Foglesong will check with the YMCA.

Mr. Fiedeldey was under the impression that no programs would be cut.

Betty Strum, 2410 Blue Lark Drive – questioned the drainage affected by Cross County Highway in the area by Skyline Center and a resident. She would also like her street to be resurfaced. She expressed her disappointment in the Skyline Center. Money is being spent on other Township parks, and Skyline is being ignored.

Willie and Shirley Munlin, 2373 Blue Lark – stated concerns with creek by their home. They would like to know who they can contact for assistance with this problem.

Mr. Corman will call Ted Hubbard, Hamilton County Engineer and Tim Ingram, Hamilton County Health Department.

UNFINISHED BUSINESS

Legal, Jim Reuter – reported that the Township is now owner of the 2.75 acres purchased for the Pleasant Run Fire Station.

Mr. Fiedeldey questioned the curfew resolution.

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Mr. Reuter stated that he did not draft the resolution because he believed that there was disagreement among the Trustees on what the hours should be. He was waiting for further direction from the Trustees.

Mr. Fiedeldey felt that the resolution could still be drafted and the hours, whatever they may be, can be plugged in at a later time. The time is just a number to be put in there. He thought they were going to include parent liability and make them responsible.

Mr. Corman asked if they were looking into that, too.

Mr. Reuter stated that he would include state an offense against the parents in the draft resolution, he would.

Mr. Fiedeldey asked Chief Sarver if hat is something he was wanting.

It is Chief Sarver's position that it would be an additional tool. If returning the child to the parents is not working, at some point there needs to be a mechanism to hold parents accountable. If it just that he child is running loose and the parents are doing what they can at home, they will deal with that situation with discretion. If they can demonstrate kid is a repeated offender, and the parents are doing nothing to control the child, to have that added section where the parent can then be held accountable, sends home that final message that the Police have done what they can with the child, the parents are no longer doing anything with the child, the Police are now able to hold the parent accountable. To have that in the resolution would be his request. The key is to get the kid off the street. The curfew for the child is a step in the right direction. If the Township and Board is going to do this, he feels we should do this in totality and hold the parent accountable, once it has been demonstrated. Holding the child responsible is not going to work.

Mr. Corman stated that this would refine this so that the final judgement or responsibility is put on those that lack responsibility. Not the ones who really do try to take care of their kids.

Chief Sarver agreed. Once the child would be charged the first time, the way the policy would read, would be a warning. They would take the child home to the parents, admonish both the child and the parent and then warn them that the second offense would result in the charging of the child. They would then be required to compile a database to make sure that that is followed. A child picked up a second time within a one year period, the child would then be charged. The next offense when a child is picked up after being convicted of a first offense, the parent would be held accountable. That is usually an incentive for a parent to assume responsibility for the child and if they don't, they should be held accountable. It usually doesn't have to go that far.

Mrs. Rielage still needed an answer on whether the Police are going to stop every kid who looks like they are not eighteen.

Mr. Fiedeldey didn't think they had ever discussed that. He thought there would be a reason and some discretion used.

Mrs. Rielage asked that if the Police are only going to stop someone who would have been stopped anyway because of what they were doing, what is the point of the curfew.

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Mr. Fiedeldej thinks the point Mrs. Rielage is missing with the whole thing is that the biggest thing that happens without a curfew is criminal damage. If they are on the street, they are going to do it.

Mrs. Rielage said that what Mr. Fiedeldej is saying is that all children should be stopped.

Mr. Fiedeldej said that it is not stopping them, it's the rules. It is like having a stop sign. Do we have a Police officer standing there making sure everybody stops? No, because people are not out roaming around or they are not running stop signs.

But if a Police officer goes by some kids that don't look eighteen, Mrs. Rielage asked if they will be stopped whether they are doing anything even if they are just standing.

Mr. Fiedeldej asked whether Mrs. Rielage realized how much criminal damage was going on in the Township.

Mrs. Rielage said it honestly doesn't seem like a lot.

Mr. Fiedeldej asked to finish. He said there are just little things. Before the Park was even completed someone took paint to it. He also believes that Mr. Snyder put up some Pepsi machines and the next day they were broken into. We have a barn down at Wilhelm Park and it got burnt up. The same night they burnt up a portable toilet down at Dravo Park. That is kids stuff. Running around at night. He asked if they wouldn't want to make an effort to try and curb some of that. It is a quality of life issue. This is criminal damage. Statistics says it works and it has been proven that it works. Mr. Fiedeldej asked why would you not want to try and improve the quality of life of the people in Colerain Township.

Mrs. Rielage stated that if kids know they are not going to be arrested unless they commit a crime, then they are not going to abide by the curfew. It will be no deterrent.

Mr. Corman said that this is a tool. It will remove kids at a reasonable time of the day. It will make an easier job for the Police to find the perpetrators of these crimes by the process of elimination. That is why he feels 1:00 a.m. to 5:00 a.m. is a more realistic time. Chances are much better that those out there after 1:00 a.m. are out there not just to be walking around. This would not eliminate it one hundred percent. There are just some people who don't care what the law says. But we are a Nation of laws, and the law abiding citizens would respect and understand it. There are responsible 14 and 15 year olds that are not allowed to drive and there are troops defending our country that cannot drink a beer. There are other communities around Colerain Township that have curfews and it is strongly believed by both Colerain Township Police and the Hamilton County Sheriff's Office that when these people are curfewed, the pilferers will come into the open areas, the free range areas and continue to do their thing. They are not normally doing it for profit, but most of the time it is to be destructive, even if it is to vent energy. He doesn't think it is unreasonable, but before the Trustees make a move on it, he would like to have the Trustees ride with the Police Department a couple of time on a Saturday night from midnight to five in the morning or a Friday night. See what they have to deal with. He has ridden with them and seen what they go through and that is why he emphasizes with this request. It would be a good learning experience if anything. See what is going on and be a part of it. He doesn't think they need to make it a law tonight. This

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is the type of thing you really want to discuss. He would be willing since he does this often with other disputed situations. He is more than happy to meet with representatives from the Community and have a round table discussion. It doesn't hurt at all when we have these kinds of things for consideration to take the public's view in a civilized fashion. Many people may be against it, if they are against it because of the time. Some people may be for it and want it to be more restrictive. If any law affects the public, he feels it is good to get some input. It is not like it is an epidemic or anything like that, but it is out there.

Mr. Fiedeldey told Mr. Corman that he has been doing that for six months, asking people what they thought about it. It was not a knee jerk reaction when the whole thing came out. He stated that they were at the same meeting a few nights back and he asked the folks there, 30 or 40 people, what their thoughts were. Several said that they thought it was a good idea. There was so much goo response, he asked if anyone was against it and not one was. So, he believes that probably all of them have been asking. Every time he runs into a parent, he them what they think about this, and he has yet to have one say anything negative about it.

Mrs. Rielage said that everyone she has spoke with has been totally against it.

Mr. Fiedeldey told her it depends on how you ask the question.

Mrs. Rielage said it may depend on the age of the crowd.

Mr. Fiedeldey said he guessed the next thing he would speak to, he wasn't trying to promote this thing, it wasn't a knee jerk reaction. It is based on, if you will, statistics, knowledge and research. When they implemented it over at Anderson Township, the Hamilton County Sheriff's Department has done that, the concluded the curfew was an effective tool in preventing juvenile crimes. For a ten month period study, they looked at reported assaults, which dropped 22%, thefts dropped 17%, automobile thefts dropped 18%, and criminal damaging dropped 35%. It will not eliminate all of these crimes, but it will help reduce it. They proved it. For the Trustees to sit here and not be proactive and willing to that and implement that, we are doing a disservice to the community.

Mr. Corman asked Mr. Fiedeldey to not argue.

Mr. Fiedeldey stated that he is allowed to talk and called point of order.

Mr. Corman reminded Mr. Fiedeldey that he is Chairman at this time.

Mr. Fiedeldey stated that he has the floor and Mr. Corman does not.

Mr. Corman stated that he is agreeing about the issue of a curfew, it's the refining of it. He wants to find out everything he can before he does it to see what the community needs. To sit there and act like the Board is not being proactive is a falsehood and he doesn't appreciate it. He stated that he is trying to rationally establish something and if they are going to set an example, they need to set it between themselves before they expect people out there to be doing it. He would like to meet with some people in the neighborhoods. He has been talking to people around and he gets some that don't want it and he gets a lot of people that say they think it is a good idea, but they don't know the whole facts yet and they want to discuss it a little. That is what the Trustees are here for and that is what he wants to do. That is where he stands and he is entitled to, too.

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Mr. Fiedeldey agrees with all of that. The only point he is trying to make is that they have looked at it and months go on. Either they are going to do it or they don't and that is where he comes from with it. If we are going to do it, lets implement it. He feels it is a good tool for police officers and it would help the quality of life in the Township. He thinks that Mr. Corman and Mrs. Rielage have all asked people. He feels they have either made up their mind or they haven't. If you want some type of public forum, that is fine with him, but lets set it and lets do it and lets go forward. He is frustrated and that is why he asked for extra meetings through the summer. He doesn't feel the Township is getting anything done. Or they could get more done, to put it that way.

Mr. Corman stated that they are getting things done. And to wrap it up, he feels there will be a decision soon, but he doesn't feel it is an urgent issue. He again recommended the other two Trustees ride along with the Police once in a while.

Nothing was resolved.

Administration, David Foglesong – read Resolution #22-03 supporting the West Fork of the Mill Creek Watershed action plan.

Mrs. Rielage motioned to approve Resolution #22-03. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"

NEW BUSINESS

Fire Department, Chief Bruce Smith – read resolution #23-03 for vehicles no longer useful to the Department to be sold.

Mr. Fiedeldey motioned to approve Resolution #23-03. Mrs. Rielage seconded the motion.

Mr. Fiedeldey	"Aye"
Mrs. Rielage	"Aye"
Mr. Corman	"Aye"

Police Department, Chief Steve Sarver – requested a pay increase for Ed Smith to \$13.93 per hour effective April 16, 2003.

Mr. Fiedeldey motioned to approve the pay increase. Mrs. Rielage seconded the motion.

Mr. Fiedeldey	"Aye"
Mrs. Rielage	"Aye"
Mr. Corman	"Aye"

Public Works Department – reported a pay journalization for Jason Haines in the amount of \$16.37 per hour effective April 8, 2003.

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Senior & Community Center, David Foglesong for Kay Klosterman – requested authorization to hire Kandy Marshall as program coordinator at the rate of \$8.50 per hour effective April 9, 2003, conditional on satisfactory completion of medical work physical.

Mrs. Rielage motioned to approve the hiring of Kandy Marshall. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"

Zoning Department, Otis Spriggs – provided Zoning updates.

At 8:42 p.m., Mr. Fiedeldey motioned to recess. Mrs. Rielage seconded the motion.

Mr. Fiedeldey	"Aye"
Mrs. Rielage	"Aye"
Mr. Corman	"Aye"

The meeting reconvened at 9:00 p.m.

PUBLIC HEARING

ZA2003-01, Luxford Manor

Mr. Spriggs gave a Power Point presentation.

C. Francis Barrett, 500 4th & Walnut, 45202 – was in attendance representing the property owner.

Larry Shad, 11611 Stonemill – assisted in the development of the plans.

It was suggested that residents meet with developers to resolve any concerns and come back to the Board for consideration.

Residents who spoke on the proposed plans:

- James Yuwell, 3107 Banning**
- Ron Enderle, 3083 Banning**
- Rick Craig, 3093 Banning**
- David Rentschler, owner of property**
- Richard Ennis, 6925 Colerain (owner of car wash)**
- Dan Childs, 3121 March**

Mrs. Rielage motioned to continue the public hearing on April 22, 2003 at 8:30 p.m. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"

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CLERK'S REPORT

Ms. Kathy Mohr – requested the approval of purchase orders, payroll and bills.

Mrs. Rielage motioned to approve purchase orders, payroll and bills. Mr. Fiedeldey seconded the motion.

Mrs. Rielage "Aye"
Mr. Fiedeldey "Aye"
Mr. Corman "Aye"

The following receipts were recorded by the Clerk:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
107-03	Fifth Third Bank	investment primary	15,520.24
108-03	Council on Aging	COA grant	10,758.24
109-03	Police Department	OJP	21,706.00
110-03	Senior & Community Center	fees, don, lunch, don	123.00
111-03	Diana Rielage	postage	1.52
112-03	Parks & Services	baseball field rental	1,400.00
113-03	Rumpke	solid waste disposal fee	37,251.57
114-03	Zoning Department	certificates, BZA, codes	498.48
115-03	Senior & Community Center	fees, rent, lunch	291.50
116-03	Dusty Rhodes	local highway tax	2,691.67
117-03	Senior & Community Center	fees, rent, don, lunch	481.50
118-03	Parks & Services	shelter, ball field, bench	3,040.00
119-03	Police Department	fees, court appearance	251.00
120-03	Dusty Rhodes	gas tax	1,352.00
121-03	Senior & Community Center	fees, rent, don, lunch	76.95
122-03	Fire & EMS Department	report, EMS billing	414.81
123-03	Senior & Community Center	fees, rent, don, lunch, refresh	737.20
124-03	Fire & EMS Department	payroll adjustment	32,395.39
125-03	Fire & EMS Department	plan fee	75.00
126-03	Public Works Department	snow removal	940.00
127-03	Parks & Services Department	shelter reservations	70.00
128-03	Fire & EMS Department	CTTC rent, signs, EMS billing	9,351.60
129-03	Senior & Community Center	fees, rent, don, lunch	799.00
130-03	Public Works Department	snow removal	2,689.50
131-03	Administration	Revisited, postage	16.95
132-03	Star Ohio	investment star	4,180.93
133-03	Fifth Third Bank	investment primary	385.92
134-03	Fifth Third Bank	interest	9,504.85
135-03	Council on Aging	COA	10,582.35
136-03	Parks & Services	shelter reservations	140.00
137-03	Burnham & Flower	liability insurance credit	3,909.54
138-03	David Foglesong	cell calls	1.47
139-03	Police Department	finer	792.00
140-03	Fire & EMS Department	permit fees	50.00
141-03	Parks & Services	shelter reservations	245.00
142-03	Parks & Services	shelter reservation	35.00
143-03	Fire & EMS Department	plan review	100.00
144-03	Senior & Community Center	fees, don, lunch	186.00
145-03	Fire & EMS Department	plan review	225.00

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146-03	Dusty Rhodes	public utility reimbursement	114,241.94
147-03	Senior & Community Center	fees, don, rent, lunch, refresh	124.00
148-03	Fire & EMS Department	EMS billing, cell, report, sign	6,550.04
149-03	Bernard Fiedeldej, Jr.	bench sponsorship	100.00
150-03	Dusty Rhodes	real estate	1,390,000.00
151-03	Fire & EMS Department	plan reviews	275.00
152-03	Senior & Community Center	fees, rent, don, lunch	366.00
153-03	Senior & Community Center	fees, don, lunch	335.00
154-03	Senior & Community Center	crafts	116.42
155-03	Parks & Services	shelter reservations	175.00
156-03	Public Works Department	snow removal	725.25
157-03	Fire & EMS Department	plan reviews	150.00
158-03	Dusty Rhodes	municipal court fines	6,199.85
159-03	Senior & Community Center	fees, don, lunch, refresh	109.50
160-03	Parks & Services	shelter reservations, bench	135.00
161-03	Frank Birkenhauer	cell calls	3.20
162-03	Fire & EMS Department	refund, signs, reports, comm	444.50
163-03	Police Department	finances, fees	754.00
164-03	missing		
165-03	Public Works Department	snow removal	1,508.92
166-03	Senior & Community Center	fees, don, lunch	155.00
167-03	Dusty Rhodes	license tax	30,955.09
168-03	Fire & EMS Department	permit fees	75.00
169-03	Police Department	cell calls	94.26
170-03	Zoning Department	certificates & codes	1,706.20
171-03	Senior & Community Center	fees, don, lunch	134.40
172-03	Senior & Community Center	fees, don, lunch	47.00
173-02	Parks & Services	shelter reservations & bench	170.00
174-03	Dusty Rhodes	RRI awards	20,835.89
175-03	Senior & Community Center	fees, don, refresh	78.00
176-03	Dusty Rhodes	real estate	81,450.54
177-03	void		
178-03	Dusty Rhodes	lighting districts	144,679.91
179-03	Parks & Services	shelter, bench, shirts	263.00
180-03	Fire & EMS Department	plan review	75.00
181-03	Public Works Department	snow removal	1,628.70
182-03	Senior & Community Center	fees, lunch	85.00
183-03	Rumpke	solid waste disposal fee	35,203.70
184-03	Parks & Services	shelter reservation	35.00
185-03	Fire & EMS Department	plan review	375.00
186-03	Fire & EMS Department	EMS billing, CPR, postage, misc.	793.15
187-03	Fire & EMS Department	plan review	75.00
188-03	Senior & Community Center	fees, lunch	13.00
189-03	Zoning Department	certificates, codes	1,220.00
190-03	Parks & Services	shelter reservations	35.00
191-03	Public Works Department	snow removal	957.51
192-03	Parks & Services	Revisited book	5.00
193-03	Dusty Rhodes	SIF, rev assist, fin inst	57,157.95
194-03	Fire & EMS Department	permit fees	75.00
195-03	Greg Snyder	cell call	2.00
196-03	Senior & Community Center	fees, rent, don, lunch	450.00
197-03	Fire & EMS Department	EMS billing, cell, rpts, misc.	6,489.16
198-03	Parks & Services	shelter reservations	35.00
199-03	Police Department	reports	11.50
200-03	Senior & Community Center	fees, rent, don, lunch	307.50
201-03	Parks & Services	shelter reservations	140.00
202-03	Public Works Department	snow removal	94.50

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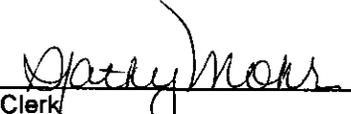
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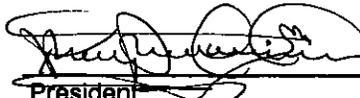
203-03	Bureau of Workers Comp.	Refund	521.98
204-03	Zoning Department	certificates, BZA, codes	953.28
205-03	Senior & Community Center	crafts, fees, don, lunch, refresh	1,089.68
206-03	Senior & Community Center	fees, don, lunch	103.85
207-03	Public Works Department	snow removal	28.95
208-03	Parks & Services	shelter reservations	70.00
209-03	Fire & EMS Department	plan reviews	75.00
210-03	Senior & Community Center	fees, don, lunch	37.00

There being no further business to come before the Board, Mrs. Rielage motioned to adjourn the meeting at 9:45 p.m. Mr. Fiedeldey seconded the motion.

Mrs. Rielage	"Aye"
Mr. Fiedeldey	"Aye"
Mr. Corman	"Aye"



 Clerk



 President