

**RECORD OF PROCEEDINGS  
REGULAR**

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

**April 27, 2004**

Held \_\_\_\_\_

**OPENING OF THE MEETING**

Mr. Corman called the meeting to order at 6:07 PM with all Board members in attendance. Mrs. Rielage motioned to appoint David Foglesong as acting clerk for the purpose of recording the minutes. Mr. Fiedeldey provided the second

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

**EXECUTIVE SESSION**

Mr. Reuter requested the Board go into executive session for the purpose of discussing pending litigation and personnel issues. Mrs. Rielage made such motion and Mr. Fiedeldey provided the second.

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

Mr. Corman reconvened the meeting for the purpose of the regular meeting at 7:05 PM. Mrs. Harlow joined the Board at this time.

**PLEDGE INVOCATION**

The Invocation was presented by Pastor Doug Wright of the Pleasant Run Baptist Church. The Pledge of Allegiance was lead by Brownie Troop# 345 from St. Ann Church and School in Groesbeck.

**APPROVAL OF THE MINUTES**

Mr. Corman called for additions or corrections to the minutes of the April 13, 2004, meeting.

Because Resolution 14-4, celebrating the 50<sup>th</sup> Anniversary of Cub Scout Pack 641 from St. John the Baptist, was not formally approved by the Board at the April 13, 2004, meeting, Mrs. Rielage moved that the Board approve the resolution. Mr. Fiedeldey provided the second.

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

Mr. Fiedeldey asked that the Trustee Report section of the minutes of the April 13, 2004, meeting reflect his comment that the Rumpke landfill will have emissions for the next 200 years. Mr. Fiedeldey also made a number of typographical corrections.

Mr. Fiedeldey motioned to approve the April 13, 2004, minutes with the above noted corrections. Mrs. Rielage provided the second.

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

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Mr. Reuter will need to look at the January 27 and February 24 meeting minutes to determine how to properly note the corrections.

**PRESENTATION – EPA/RUMPKE PERMIT TO INSTALL AIR QUALITY**

Mr. Foglesong said that the deadline for public comment has been extended from April 19 to April 28.

Peter Sturdevant of the Hamilton County Department of Environmental Services came before the Board to discuss Rumpke's Air Permit-to-Install and to take comments from the Board.

Mr. Sturtevant said that on April 12, a public meeting was held to solicit comments on the expansion of Rumpke Landfill. Mr. Fiedeldey requested that he make a presentation before the Board.

Permit-to-Install #14-05382 deals with air emissions from mineral extraction. Rumpke must comply with an allowable level of 25 micrograms per cubic meter. Rumpke will have to limit their operations to reduce emissions to that level. Permit-to-Install #14-05292 covers from the southern expansion to the landfill and a proposed composting operation.

PSD requirements include review of all significant air emissions, the impact of toxic emissions on the air, and the impact on the area's economic growth, soils, vegetation, animals, and ecosystems

This permit has federal regulations that are more stringent than the state of Ohio. Standards are based on protecting the public health.

Mrs. Rielage asked why there is a PSD of 30, but Rumpke must comply with 25. Mr. Sturtevant said that air emissions from both areas of the landfill are considered, including the expansion.

Mr. Fiedeldey asked what comprises the toxic emissions. Mr. Sturtevant said that a complete list is in the application. There are a couple of dozen that are toxic or hazardous in some way or some type of organic compounds

Mr. Fiedeldey asked if methane is considered a toxic. Mr. Sturtevant said that it is not carcinogenic

Mr. Fiedeldey asked about the impact on growth of our community. Mr. Sturtevant said that they did look at this issue. Job creation probably will not increase, but will not decrease either.

Mr. Fiedeldey asked if they have implemented all standards to protect the public health. Mr. Sturtevant said that if they are applicable, they are included. He said that the actual emissions are much less, but one needs to plan for the worst-case scenario.

Mr. Fiedeldey said that, at the public hearing, the man from the OEPA, indicated that the air quality would continue to get worse every year. That bothers Mr. Fiedeldey and he wonders why we would let that happen. Mr. Sturtevant said that Mr. Lloyd referred to the fact that they consider any additional air emissions to degrade the air. He said that they are trying to forbid significant air emissions. For the last 20 years, air quality has gotten better every year.

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Mr. Fiedeldey referred to articles in *The Cincinnati Enquirer* about air quality, which say that air quality has grown worse. He doesn't know what to believe. Mr. Sturtevant said that those articles are in response to the federal standards being made stricter. Now, 100s of counties are no longer in compliance.

Mr. Sturtevant said that volatile organic compounds can be emitted, which create a problem with the ozone layer. They have had violations at times and the standards have been made tighter.

Mr. Fiedeldey asked if there will be emissions from the landfill for the next 200 years. Mr. Sturtevant said that is a calculation as no one can predict the future. Mr. Fiedeldey asked if any of those emissions are caustic. Mr. Sturtevant said that they were.

Mr. Fiedeldey said that Mr. Allen indicated that air quality would get worse each year. Mr. Fiedeldey would like to think that the quality of life of our residents would be more important. It's the 21<sup>st</sup> Century and there has to be a way to reduce this. How can we do that? Mr. Sturtevant said that there are additional emissions. However, it is debatable whether degradation occurs, not a given fact.

Mr. Corman said that ethane is toxic, but not categorized as a cancer-causing agent. He asked what makes methane different. Mr. Sturtevant said that methane is a major component in landfill gas, which is recovered. It is a pollutant of concern because of global warming, not the toxic effect.

Mr. Fiedeldey asked if incineration is being considered. Mr. Sturtevant said that they can not comply with the tighter air pollution standards and incineration has been discontinued.

Mr. Fiedeldey asked if these permits are under the new rules. Mr. Sturtevant said that they were.

Mr. Fiedeldey asked if the current landfill accepts hazardous waste. Mr. Sturtevant said, no, it is a sanitary landfill. This landfill does accept asbestos, which has its own set of restrictions.

### SHERIFF'S REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the monthly statistics and a citizen survey letter to Chief Sarver.

### TRUSTEES' REPORT

#### Trustee Diana Lynn Rielage

Mrs. Rielage reported that the Road Department received a thank-you phone call from a resident on Kristiridge Court. The resident thanked the Department for the work they did and mentioned that it looks a lot better.

Mrs. Rielage said that the Great American Cleanup was great! She worked at Ronald Reagan Highway and Colerain Avenue and Mrs. Harlow worked at the I-275/Colerain Avenue interchange. We had a good turn out and picked up a lot of trash!

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**Trustee Bernard Fiedeldej, Jr.**

Mr. Fiedeldej asked if the Board will comment on the landfill permits. Mrs. Rielage would like an answer to the question about the air quality getting worse.

Mr. Reuter said that it would be an appropriate comment to make. While he does not remember the context of the agreement in the consent decree, we can not argue over what is reasonable. It is appropriate in the letter to say that the Board has received complaints. We should stand in favor of clean air and the consent decree. Mr. Fiedeldej said that it is only prudent to write the letter.

Mr. Fiedeldej made a motion that Mr. Reuter should write a letter on the Board's behalf to express their concerns about the air quality situation. Mr. Reuter asked the Board to outline what should be included. We would expect that the air quality around the landfill would improve and not have further degradation. If this is not possible, why is it not?. Mr. Fiedeldej wants citations from the federal regulations. Mr. Corman suggested that the letter should cite the consent decree. Mrs. Rielage suggested that we should make statements, not ask questions. She then seconded the motion and the roll was called:

Mr. Corman. "Aye"  
Mr. Fiedeldej. "Aye"  
Mrs. Rielage. "Aye"

**Trustee Keith N. Corman**

Mr. Corman received a letter from the Hamilton County Development Company and the Mill Creek Watershed Council about a new website to promote development. The website would reveal the top redevelopment opportunities in each of the Mill Creek watershed cities, villages, and townships as the user scrolls across a map with their computer mouse. Once completed, this website will be promoted to area developers who might be unaware of redevelopment opportunities in the watershed area. This letter will be forwarded to Assistant Administrator and Director of Development Frank Birkenhauer who will include the Township's opportunities.

Mr. Corman provided an update on the Blue Rock Road bridge. He received a reply to his letter from Ted Hubbard in the County Engineer's office. A six-person committee has been established. There will be a delay in demolition while they find ways to handle this. Mr. Hubbard feels that it could be cost prohibitive. No action will be taken until later in the summer.

**CITIZEN'S ADDRESS**

**Jerry Heopker of 3711 Susanna Drive** spoke about a water run-off problem. At the March 25 meeting of Susanna drive residents, it was determined it the water run-off was resident responsibility. But, the last time it rained, muddy water came into his yard. He requests assistance in determining from where this muddy water is coming. Mr. Foglesong said that someone from the Public Works Department will go to his home the next time rains.

**Jeff Eiser of 12122 Huntergreen Drive** is the baseball supervisor and a past-president of Colerain Athletic Association. He wanted to correct some statements made about the CCA's relationship with the Township's Parks Department. The CCA has over 500 children playing softball, baseball, and t-ball. He has had no problems with the Parks Department during his more than

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12 years of working with the CCA. In fact, his has witnessed much cooperation and found the Township more than willing to help. Mr. Eiser said that all he needs to do is ask Mr. Snyder for something and it is done.

**Norman Muehlenhard of 9786 Manhattan Drive** came before the Board to bring a matter to their attention. Brownsay Lane, which runs north off of Galbraith Road, is a dedicated township street, but is not up to Colerain Township standards. He said that he has called Public Works. The Department representative said the street has been on the list for repair and upgrading, but has been put on the back burner for other projects. Mr. Muehlenhard feels this is an important area, especially for the veterans. He finds it very sad to see how terrible it really is. He asked the Board to please do what they can to upgrade the lane and make it a very beautiful spot. He suggested that they include sidewalks, if possible.

**Tawney Hale of 11346 Pippin Road** spoke about her mother's neighbor's dog, who has attacked her dog twice. Her mother's home is at 9876 Norcrest drive and her niece is now living in the home. Ms. Hale is concerned now with her grandniece's safety. She called the SPCA and filed a report. She was told that the tenant of the house's significant other is the owner of the dog. This person has been cited for failure to control. On Saturday, her niece was mowing the grass and the dog jumped the fence again. Ms. Hale wonders what has to happen before something is done. She called the SPCA, who checked again today. But, the SPCA left the card on her door instead of the neighbors. In short, Ms. Hale wants this dog gone.

Mr. Corman explained about dog resolution. Chief Sarver suggested that she give the information to the Police Officer in the back of the room and we will get started tomorrow on this.

**Sharon Sholten** is not a citizen of Colerain Township. She lives at 171 Anderson Ferry and is here with four other students at the University of Cincinnati. As a future social worker, she has concerns about the Township's policy for social workers as far as domestic violence issues. She asked if social workers are called in. Chief Sarver said that they have various agencies that work hand-in-hand. They will not permit social workers to go into a "hot" situation for fear of their safety. Ms. Sholten said that her friend was in a situation and asked for social worker, but one was not called. The Chief suggested that she give this information to the officer in attendance and he will look into the situation.

Ms. Sholten asked if the increase in domestic violence has been brought up at meetings. Mr. Corman said that is had not.

**Pastor Donald E. Jones of 10049 Manistee Way** said that he had to make a police report this Sunday at his Church on Pippin Road. The mailbox was ripped off and thrown in to the grass. He is very disturbed about this and feels it is not a random act because they are a black church. There was nothing done to the white church across the street. He is praying for the person who did this. He has never had a problem and home and it saddens him it would happen at the church. He said that if this is ethnic intimidation, there are steps he can take and he will speak out against intolerance.

Mr. Fiedelvey said that he has had his mailbox smashed at home and Mrs. Rielage has had it happened, too. Mr. Corman asked if he has had any threats and Pastor Jones said that he has not.

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**David Schroder of 2736 Sandhurst Drive** also owns a home on Georgianne Drive. He has a letter to file with zoning. He is concerned with the shopping center on Colerain Avenue, just south of Ronald Reagan Highway. This development backs up into the homes on Georgianne. He is concerned about the noise and interruptions from the businesses. He said that it is impossible to live there and his tenant is very upset. The chain-link fence is not a noise barrier and some of the businesses are active until the late night or early morning. There was an armed robbery of one of the businesses, where the suspect jumped the fence.

He reported that Officer Muashsher said that a privacy fence will be installed the dumpsters moved

Mrs. Rielage asked what he wants them to do. He said that he wants a block wall. Many houses on the street have been sold because people want to get out of there. Mr. Corman commented that since this is private property, we will need to get cooperation from the property owners

Mr. Fiedeldey talked to him 3 weeks ago. Mr. Schroder said that Mr. Fiedeldey and Officer Muashsher were helpful. Mr. Fiedeldey said that in the area is redeveloped, we will ensure there is a barrier. Mr. Corman said that if there is a zoning change, he will be notified.

Mr. Fiedeldey moved that the Board take a short recess. This was seconded by Mrs. Rielage

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

Mr. Corman called the Board back to order at 9:15 PM

**UNFINISHED BUSINESS**

**LEGAL**

**Acceptance of Gift Real Estate**

Mr. Reuter read Resolution #15-04, "Resolution Accepting Gift of Real Property at Terminus of Sunlight Drive."

Mrs. Rielage made a motion to approve the resolution as read. Mr. Fiedeldey provided the second and without discussion, the roll was called:

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

**Dog Control Resolution**

Mr. Reuter reported that last Wednesday evening, the advisory committee met and a couple of points of clarification were made. He does not have the resolution in a form for submission to the Board for approval. The resolution will need to be made compatible with the Ohio Revised Code. Mr. Reuter said he will have the resolution for approval at the next meeting. He will have the resolution for the trustees' and committee review by Thursday or Friday.

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Mr. Fiedeldey asked if anything could be done to recognize donors of the property. Mr. Reuter said that he spoke with Mr. Frey, who indicated that, Mr Bittman would not want to come to a meeting to be recognized. Mr. Fiedeldey suggested that a plaque be placed on a rock when the park is complete. Mr. Snyder reported that the Bittmans said they would have to think about that and get back to us.

**ADMINISTRATION****Colerain Corridor Task Force Update**

Mr. Foglesong provided an update from last Friday's meeting. There has been a delay in the installation of the pre-emption system. The contractor is waiting for final permission, but it should happen this week. There has been no resolution on the street lighting and full-corridor preemption issues, so a second meeting will be initiated. There are also some concerns with businesses in the construction area. There will be a second walk-through to point-out differences for the final punch-list. State Representative Patricia Clancy has offered her assistance.

**Resolution for HANDS program**

Mr. Corman motioned for the approval of Resolution 16-04, "Resolution Recognizing Northwest Local School District HANDS Program" and to dispense with the reading. Mr. Fiedeldey provided the second. There was no discussion.

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

**NEW BUSINESS****FIRE DEPARTMENT****Part-time Seasonal Hires**

Chief Smith asked the Board for approval to hire two individuals for summer fire hydrant servicing of the Township's 2,800 hydrants. Corrie Kief would be hired as a 3<sup>rd</sup> year hydrant employee at the rate of \$10.71/hour and Kyle Schneider would be hired as a 1<sup>st</sup> year hydrant employee at the rate of \$9.00/hour. These are temporary, seasonal employees.

Mrs. Rielage moved to approve the hiring and Mr. Fiedeldey provided the second. With no discussion, the roll was called:

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

**POLICE DEPARTMENT****Lieutenant Promotion**

At the February 24, 2004, meeting, the Board approved the creation of two new lieutenant positions for the police department. Now Chief Sarver requests that the Board approve the promotion of Sgt. Dan Meloy and Sgt. Mark Unger, to the rank of police lieutenant. The rate will be \$29.57 per hour (\$61,510 per year).

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while on probation, as agreed at the February 24, 2004, meeting. The salary will increase by 6½% after they have completed the probationary period. They will not receive compensation for overtime, court attendance, or for working holidays when required. All benefits they currently receive in respect to sick time, wellness days, vacation time, uniforms and equipment, medical coverage and so on will remain the same. Chief Sarver will bring Sgt. Meloy and Sgt. Unger before the board at the next meeting on May 11 to formally swear them in. The effective date of the promotions is May 23, 2004.

Mrs. Rielage moved to approve the hiring and Mr. Fiedeldey provided the second. With no discussion, the roll was called:

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

Chief Sarver reminded the Board that the graduation for the Citizen Police Academy and the Student Police Academy is tomorrow night.

**PUBLIC WORKS**

**Change orders**

Mr. Chapman introduced Shawn Jones, the project manager from Turner Construction, to explain the requested change orders.

The first change order requested deals with the structure reinforcing for west metal roof. The contract documentation had nothing indicated, but the work is additional and mandated. The cost of the work is \$3,143.00.

Mr. Fiedeldey asked if the reinforcements in other parts of the building were included. Mr. Jones said this only deals with three skylights and three exhaust fans, as this was included in the specifications for the other part of the building. Work will be done in-place.

Mrs. Rielage motioned to approve the change order and Mr. Corman provided the second. With no further discussion, the roll was called:

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

Mr. Jones said that we have been offered an alternative skylight. The skylight chosen does not have two characteristics, fall-through protection and a polycarbonate dome instead of acrylic. Mr. Corman and Mrs. Rielage do not see a need for this.

**Acceptance of Gift**

Mr. Chapman requested that the Board approve the acceptance of two Bradley pre-cast Terrazzo (concrete) 54" semi-circular sinks, with a value of \$2,900 each. The gift is from the Sycamore Township Trustees and was formerly used in the Blue Ash Elementary School. The sinks will be used in the men's restroom in the new public works building and in the maintenance building. Mr. Corman suggested that Mr. Chapman send a letter of thanks.

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Mrs. Rielage moved to accept the sinks and Mr. Fiedeldey seconded. There was no further discussion.

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

#### **Pippin Meadows Trees in Right-of-Way**

Mr. Chapman participated in the final walk of the Pippin Meadows subdivision with the County Engineer. They noticed that some residents have planted trees within the right-of-way. The County and Township's policy has been to have trees removed prior to acceptance unless there is a home owner's association willing to accept maintenance responsibility. In this case, there is no know association. Mr. Chapman is looking for guidance in this situation. There are 50 lots in the subdivision and five lots with 10 trees.

Mrs. Rielage asked what kinds of trees are planted. Mr. Chapman said that it is a variety. Mr. Corman asked when these were planted. Mr. Chapman said that it was within the past couple of years.

Mr. Fiedeldey said that we approved the subdivision at MonteVista with tree in the right-of-way. We should be consistent. Mr. Corman agreed and said that if we're going to have a policy, we can't turn back on it.

Mr. Fiedeldey asked if Mrs. Rielage could have the Landscape Advisory committee look into a tree that would not get too big. Also, he suggested that we fix the zoning text. The Board agreed that a letter will not be sent to the residents and the trees will not be removed.

#### **SENIOR CENTER**

##### **Special Program Coordinator Rate Increase**

Mrs. Klosterman requested that the Board approve a pay increase for the Special Program Coordinator from \$8.50 per hour to \$8.75 per hour, retroactive to the anniversary date of April 9, 2004.

Mrs. Rielage moved to approve the rate increase and Mr. Fiedeldey provided the second. With no discussion, the roll was called:

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

#### **Zoning** Updates

In Mr. Spriggs' absence, Mr. Foglesong reminded the Board of the necessity to call a special meeting of the Board on Wednesday, May 5, 2004, at 2:00 PM to discuss the comprehensive plan with the consultant. The meeting will be held in the conference room.

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Mrs Rielage moved to approve the special meeting of the Board and Mr. Fiedeldey provided the second. With no discussion, the roll was called:

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

**PUBLIC HEARING**

There was no public hearing

**CLERK'S REPORT**

Mrs Harlow asked the Board to approve the March 2004 bank reconciliation. Mrs. Rielage made such motion and Mr. Corman provided a second. The roll was called:

Mr. Corman "Aye"  
Mr. Fiedeldey. Abstain, because he had not reviewed the document yet  
Mrs. Rielage "Aye"

The following receipts were recorded by the Clerk:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
207-04	Police Department	Drug, DUI, St Park, H Park	1,271.50
208-04	Public Works Department	Refund Check	79.20
209-04	Betty Montgomery	Liquor Permit fees	632.07
210-04	Fire & EMS Department	Inspection fee	25.00
211-04	Monty R., David F., Frank B.	Postage, cell reimb.	17.21
212-04	Sr. & Community Center	Fees, rent, don	905.50
213-04	Fire & EMS Department	Memo receipt	
214-04	Public Works Department	Snow removal	473.48
215-04	Sr. & Community Center	Fees, don, lunch	289.88
216-04	Police Department	Forfeited drug money	255.00
217-04	Crawford & Company	Insurance check - repairs	1,608.00
218-04	Zoning Department	Certificates, other	1,051.00
219-04	Fire & EMS Department	EMS billing	11,331.21
220-04	Fire & EMS Department	FDIC overpay, cell calls, etc.	644.60
221-04	Administration	Copies	4.00
222-04	Fire & EMS Department	Plan reviews	150.00
223-04	Administration	OTARMA board mtg reimb.	690.00
224-04	Police Department	Court reimbursements	36.00
225-04	Parks & Serv. Department	Shelter reservation	35.00
226-04	Sr. & Community Center	Fees, rent, don, lunch, refresh	313.98
227-04	Dusty Rhodes	M Court fines, Perm veh	52,489.46
228-04	Fire & EMS Department	Reports, tower rent, EMS b.	1,353.77
229-04	Police Department	Unclaimed/abandoned prop.	755.25
230-04	Fire & EMS Department	Inspection fee	25.00
231-04	Sr. & Community Center	Crafts, fees, don, lunch, refresh	435.10
232-04	Dusty Rhodes	Highway local, gas, etc	83,913.92
233-04	Police Department	DUI task force, SRO reimb.	6,906.98
234-04	Parks & Serv. Department	Shelter reservations	70.00
235-04	Fire & EMS Department	Commissary, reports, etc.	10,750.34

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ADJOURNMENT

With no further business to come before the Board, at 9:55 PM, Mr Fiedeldey motioned for adjournment. Mrs. Rielage offered a second

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

  
 Clerk

  
 President