

**February 22, 2005**

*Held* \_\_\_\_\_

**OPENING OF MEETING**

Mr. Fiedeldey called the meeting to order at 6:33 PM with Mr. Corman, Mr. Fiedeldey, Mrs. Rielage, and Mrs. Harlow in attendance.

**EXECUTIVE SESSION**

Mr. Fiedeldey asked Mr. Reuter if there was a need for Executive Session. Mr. Reuter requested the Board go into executive session for the purpose of discussing matters relating to pending litigation and the employment and compensation of Township officials and/or employees. At 6:34 PM, Mrs. Rielage made such motion to meet in executive session, and Mr. Corman provided the second.

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

Mr. Fiedeldey reconvened the meeting at 7:07 PM

**PLEDGE – INVOCATION**

The Pledge of Allegiance was lead by Boy Scout Troop 880.

**APPROVAL OF PREVIOUS MEETING MINUTES**

Mr. Fiedeldey asked for a motion to approve the minutes of the February 8, 2005, regular meeting of the Board of Trustees. Mrs. Rielage made such motion and Mr. Corman offered the second. Mr. Fiedeldey asked for any corrections to the minutes. There were none. Without further discussion, the roll was called:

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

**PRESENTATION**

**CTBA UPDATE**

Don Hughett, president of the Colerain Township Business Association (CTBA), provided an update on the organization's activities.

Since 1979, the organization has been building relationships with businesses, schools, and government. This forum is open architecture. They have on-going interaction with government. Three of their members serve on the Colerain Corridor Task Force. At their meeting last month, Pat DeWine spoke about his new role on the County Commission.

Mr. Hughett said the organization is unique because of its philanthropic interest, especially with scholarships to four high school seniors each year. They raised \$10,000 at dinner dance last month. They support several organizations and rise to the occasion for such items such as a banner across Colerain Ave. for state champion football the team.

Mr. Hughett said the fire and police departments are honored with a breakfast annually. Also, the public works department is honored each year with a luncheon.

The organization attends grand openings and dedications, sponsors "Business Afterhours" networking events, and offers an annual outing to a Cincinnati Reds

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game. The CTBA also sponsors an annual golf outing at Pebble Creek and a dinner at the Vinoklet Winery to honor high school seniors.

Mr. Hughett said the volunteer organization receives valuable input from Mr. Foglesong and Mr. Birkenhauer.

Mr. Fiedeldey asked if the CTBA needs any help from the Township. Mr. Hughett talked about a summit held in years back and would like to do again, which would require the Township's assistance.

Mr. Fiedeldey said that the CTBA does not have every business in Colerain as a member. He said the Township is trying to enhance the appearance of some of the businesses. He asked if there is any way for businesses to go to neighbor business to chat with them about this. Maybe they can encourage each other to get things cleaned up.

Mr. Hughett talked about rewarding positive behavior, especially with the Colerain Community Association. He sees this apathy mostly where investment is not yet done on infrastructure.

Mrs. Rielage said the Colerain Community Association visited businesses and asked them to pick-up trash in front of own businesses. In many cases the CCA members had to step over litter to enter, but the business owners denied a litter problem. She said they are blind to their own circumstances.

Mr. Corman described Colerain Avenue as one of the major thoroughfares of the county. But, ours is more of a retail boulevard. Work of the CTBA and others helps to keep our vacancy rate low.

#### RUMPKE

Mr. Riddle, landfill manager at the Rumpke Hughes Road facility, talked about the excavation for the southern expansion, which includes some blasting.

Doug Rudenko of Vibra-Tech made a presentation on blasting for the expansion. He began with a brief history of the company, which currently employs 60-70 people.

Vibra-Tech began work with Rumpke because of concern about effects of blasting on a waterline running through the property.

Structures shown on the map are to be inspected and are within ¼ mile of facility. This was expanded to be ¾ mile. In writing, 100 residents were contacted and 60% accepted the offer of an existing conditions survey. These were completed one week ago.

They are also involved in monitoring with seismographs. There are five off-site which monitor continuously.

The pre-blast inspections provide baseline of existing conditions as well as makes homeowners aware and knowledge about the project.

Blasting produces ground vibrations, which are like dropping a pebble into a pond. It is a series of concentric circles coming out from the energy source.

He cited a United States Bureau of Mines (USBM) RI-8507 study, "Structure Response and Damage Produced by Ground Vibration from Surface Mine Blasting." The study described three types of damages observed: threshold,

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minor, and major Particle velocity is still best descriptor of ground motion. All homes eventually crack because of a variety of environmental stresses, such as changes in weather, humidity, settlement, etc. Damage potential for low frequency blasts (<40 Hz) are considerably higher than those for high frequency blasts (>40 Hz)

The criteria set forth in the USBM study have been adopted in 23 of the 50 states. He showed data compiled by Rumpke collected in 2000, the last time blasting occurred. All levels are significantly below the USBM limits and clustered in higher frequencies, which is good.

He offered a comparison of vibration levels. The average vibration levels at the Rumpke site are between that of the vibration from a garbage disposal and vibration from vacuuming.

Air overpressure is another affect of the blasting. All levels are significantly less than recommended by USBM.

Mr. Rudenko said these monitors are put in to monitor levels from blasting and determine where they are in relation to the criteria discussed.

Mr. Fiedeldey asked if Ohio has adopted these criteria. Mr. Rudenko said Ohio has not, but the requirements are equivalent.

Mr. Fiedeldey said he does not buy into the examples of the washing machine because that does not affect the whole house. He also said buildings are built differently today than they were in the past. Mr. Rudenko said the vibrations from an earthquake are must different from this blasting.

Mr. Fiedeldey asked about the location of the seismographs and how far they monitor. Mr. Rudenko said they monitor where they are, that particular area. As blasting progresses, they will move them.

Mr. Fiedeldey asked Mr. Rudenko is satisfied with the locations of the seismographs. Mr. Rudenko said they are and said they have some portable seismographs to do spot checks.

Mr. Fiedeldey talked about the 2000 consent decree, which says the landfill may not have unreasonable effect on the surrounding property. Mr. Rudenko said they will meet this criterion.

Mr. Fiedeldey asked about the timeframe. Mr. Riddle said in the past it was 9 AM to 4PM, Monday to Friday.

Mrs. Rielage asked about the survey letters. Mr. Riddle said the 40% did not respond or did not want to participate. Mrs. Rielage asked what happens to those people. Mr. Rudenko said they would still do monitoring and accumulate data on the particular blast design.

Mr. Fiedeldey said Mr. Rudenko cited acceptable levels by the Bureau of Mines and brought attention back to consent decree and the unreasonable effect on surrounding property. He said they might have to blast less than the Bureau of Mines allows if it becomes unreasonable. Mr. Rudenko said this is why his company was brought into the picture.

Mr. Fiedeldey said this is a proactive approach and he appreciates this. He reminded Mr. Rudenko that this is the middle of our community, not a coal mine.

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Mr. Corman asked if they can guarantee that all eggs will go un-cracked. Mr. Rudenko said the program is proactive and state-of-the-art and believes 100% that damage will not occur off site.

Mr. Riddle said they will continue public education and tours about this. Vibra-Tech has information available about the technical aspects

Mr. Fiedeldey asked if anyone would like to ask questions.

Karen Stephenson asked how to reach Mr. Rudenko. His phone number is 1-800-233-6181 and his e-mail address is [douqr@vibra-tech-inc.com](mailto:douqr@vibra-tech-inc.com). She also asked Mr. Riddle if this information would be posted on website. He indicated that the website is able to accommodate this.

Ms. Stephenson asked Mr. Rudenko how the information will be transmitted to Rumpke. Mr. Rudenko said it is done almost instantaneously.

Ms. Stephenson asked if information would be transmitted to the Township. Mr. Riddle said it would be at their offices and the Township can request it. She hopes they would continue communication with the Township. She also requested a copy of the colored map.

Sgt. Scudder asked when blasting will begin. Mr. Riddle said it would be mid- to late- March and they will communicate with Township, fire, police, etc.

Alice Kennedy asked how long will it occur. Mr. Riddle said this depends on the type of material they encounter, but it would not be more than twice a day.

Mr. Fiedeldey asked if they did not know about the material and if they did not do corings. Mr. Riddle said they did and know the geology is similar to what they have in the past.

#### SHERIFF REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the reports to Lieutenant Meloy.

#### TRUSTEES' REPORT

##### MR. CORMAN

Mr. Corman said he attended the County Engineer's meeting last week. He said that we have the 5 of the top 12 intersections in terms of crash frequency have 5 of top 12. Springdale and Colerain did move to #2 spot in the county, due to Colerain corridor improvements and people paying better attention.

Mr. Corman said he is also working with Ted Hubbard because the intersection of Springdale and Poole warrants a new design. While this is not slated, he feels it is very dangerous during school times and rush hour. Traffic flow should be made more proper and safer for commuters as well as students, buses and parents.

Mr. Corman said he has also spoken with the property owners about old store building. They have contacted a demolition company to raze this structure.

Mr. Corman relayed a memo from Chief Sarver in which he told of a man who took own his life, as an example of a proactive police department and citizen police academy. On February 12, there was a report of a man with a shotgun in

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his vehicle at Wendy's restaurant. Officer Will Smith had rider with him from Citizen Police Academy, Thomas McGill. The following day, Mr. McGill saw a vehicle matching this description and reported it to the Police Department. Unfortunately, the man had already taken his own life. Mr. Corman cited the Citizen Police Academy and the Citizen Fire Academy as big pluses to the community and serve very important functions in training the citizens.

Mr. Corman suggested that the 4<sup>th</sup> of July Spectacular be dedicated to men and women serving in Iraqi and Afghan theaters. He suggested we learn who is serving or has served from Colerain and invite them on stage. We should recognize them and show our appreciation. These are heroes and we should show our appreciation now.

Mr. Fiedeldey said we should make this a directive from the Board. Mrs. Rielage agreed.

**MRS. RIELAGE**

Mrs. Rielage said that a couple of months ago, they had a discussion on the EOP and she now requested an update. Mr. Foglesong said the committee is made up of 10 people, who are each assembling one portion of that plan. They are attempting to get committee together and compile the plan.

**MR. FIEDELDEY**

Mr. Fiedeldey said there is a special meeting of the Board tomorrow at 4:30 PM for the purpose of going in to executive session to discuss pending litigation.

He said signs are available to celebrate the Colerain Football State Championship, which are 12" x 18" and are available from A&A Safety at a cost of \$18.95 plus tax and shipping. A&A Safety may be reached at (513) 943-6100.

Mr. Fiedeldey said that he looked at the flooding damage at the new park two Saturdays ago. Mr. Snyder said there is a meeting on Thursday with the design team to discuss the large deposits of sand and the trail. Mr. Snyder took aerial photos on Friday. Mr. Snyder said he plans to call for a special meeting of the Board to discuss this. Mr. Foglesong said the Board will see the design team's recommend changes.

**CITIZEN ADDRESS**

No one signed-in to address the Board.

**UNFINISHED BUSINESS**

**PUBLIC WORKS DEPARTMENT**

**Colerain State Champion Signs**

Mr. McClain said the Public Works Department has received and installed the Colerain High School Football state champion signs at designated Township entrances.

**SENIOR CENTER**

**Authorization to Hire Part-time Personnel**

Mrs. Klosterman requested approval from the Board to hire Earl Rader at a rate of \$9.00/hour. He will be part-time and work about 25 hours/week.

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Mrs Rielage made such motion and Mr. Corman offered the second. Without discussion, the roll was called:

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

**LEGAL****Amendment of Parking Resolution**

Mr. Reuter said that Mrs. Rielage in the past has discussed parking issues on public streets. He said he will be working with the police department and will discuss changes with them. He said the legal limitation is that we can regulate to promote safety, but not aesthetics

Mr. Reuter requested the Board revisit the resolution read at the last meeting. It contained some technical issues and should have included single and two-family dwellings

Mr. Reuter read Resolution #11-05, "Amended Resolution Initiating Limited Text Amendments to Township Zoning Resolution."

Mr. Corman made such motion and Mrs. Rielage offered the second. Without discussion, the roll was called:

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

Mr. Fiedeldey confirmed that this will go to the Regional Planning Commission (RPC) and to the Zoning Commission. Mr. Reuter said we are in time to make the RPC's next meeting. Mr. Spriggs said that will occur in March.

**NEW BUSINESS****POLICE DEPARTMENT****Donation Acceptance**

Lieutenant Meloy requested the Board accept a donation of used fitness equipment valued at \$3,290 from Premier Fitness

Lieutenant Meloy requested the Board accept a donation of an Ultralyte Laser unit valued at \$3,000 from the Ohio Department of Transportation

Mrs. Rielage made such motion and Mr. Corman offered the second. Without discussion, the roll was called:

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

**PUBLIC WORKS****Locharbor Vacation Request**

Mr. McClain said the Hamilton County Engineers Office sent a letter of request for the Township to review the transmitted plant that delineates the area of the proposed vacation and respond with our concurrence or objection of the proposed vacation of Locharbour Drive. Mr. Reuter has extended the deadline for response and this matter will be heard at the next meeting

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**SERVICES**

**Park Office Rehab**

Mr Snyder said bids have been received for the renovation of the Parks Office.

For asbestos removal, he recommends American Service Group, at a cost not to exceed \$7,950 00. The base quote is for \$6,450 00 with a \$1,500 contingency if the boiler contains asbestos Mrs Rielage made such motion and Mr Corman offered the second.

Without discussion, the roll was called:

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

For electrical services, he recommends Frey Electric at \$2,875 00. Mrs. Rielage made such motion and Mr. Fiedeldey offered the second.

Without discussion, the roll was called:

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

To replace the heating system, he recommends Thomas Loukes Construction at \$18,825 00. Mrs Rielage made such motion and Mr. Fiedeldey offered the second.

Without discussion, the roll was called:

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

Mr. Fiedeldey asked about the roof replacement. Mr. Snyder said work will begin on Thursday.

**ZONING**

**Request to set March 8, 2005 Public Hearing for Comp Plan**

The Zoning Commission held a public hearing to review and make recommendations on the recently released Colerain Township Comprehensive Plan received from McBride Dale Clarion, and is recommending approval of the Plan as submitted. Mr. Spriggs requested the Board of Trustees schedule a public hearing on March 8, 2005 at 8:30 PM.

Mrs. Rielage motioned to set the public hearing and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

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

**Zoning Updates**

Mr. Spriggs reported that the Hamilton County Regional Planning Commission will consider Zone Text Amendment Case 2005-2 initiated by the Board to modify Articles 5 & 13 of the Zoning Code. This hearing has been scheduled for Thursday, March 3, 2005 at 1:30 PM.

The Zoning Department as received new Zone Change cases on the following:

- a Whispering Pines (Buckemeier owned property): Re-submitted

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request to rezone from B- residence to B-CUP with a reduction to 21 Landominium units.

- b. Furrow's Site: Request to rezone to "EE" Planned Retail. The plan will encompass the old Furrows site, proceeding south to Haverkos and abutting properties rearing on Yellowstone Dr.
- c. Circle Storage. Grasshopper Investments on Struble Road is requesting a modification to a previously approved "FF" Light Industrial District

He said that plans area available in the Zoning Office. These cases will be heard in April by the Zoning Commission and Regional Planning Commission.

**ADMINISTRATION****Request to Set Permanent Appropriation Hearing**

Mr. Foglesong informed the Board that he will be requesting a hearing for and approval of the permanent appropriations during the regular meeting of the Board on March 22, 2005.

Mrs. Rielage motioned to set the public hearing and Mr. Corman offered the second. Without discussion, the roll was called:

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

Mr. Foglesong discussed the replacement of the projector in the Trustees' chamber as parts are unavailable. We have received three quotes and are waiting for a third. He suggested the Board approve an expenditure not to exceed \$6337.00

Mr. Corman motioned to approve the expenditure and Mrs. Rielage offered the second. Without discussion, the roll was called:

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

**CLERK'S REPORT**

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts. Mrs. Rielage made such motion and Mr. Corman offered the second. No discussion and the roll was called:

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

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
77-05	Dusty Rhodes	Gas tax Jan	16,046.22
78-05	Sr. & Community Center	Fees, don, lunch, refresh	153.50
79-05	Police Department	Ribbons	17.50
80-05	Sr. & Community Center	Crafts, fees, rent, don, lunch	598.37
81-05	Frank Birkenhauer	Postage	1.06
82-05	Police Department	Court reimbursement	18.00
83-05	Fire & EMS Department	Inspection fee	15.00

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84-05	Public Works Department	Recycling	2,50300
85-05	Fire & EMS Department	Reports, refund, CTTC elect, name plates, cell	6,990.64
86-05	Fire & EMS Department	EMS billing	12,537.70
87-05	Sr. & Community Center	Fees, don, lunch	251.50
88-05	Police Department	Fines, park, dui, drug	417.30
89-05	Fire & EMS Department	Inspection fee	15.00
90-05	F. Birkenhauer, David F.	Cell calls	16.52
91-05	Mark Walsh	Postage	5.00
92-05	Parks & Services	Baseball field rental	2,800.00
93-05	Police Department	Forfeiture order	161.91
94-05	Police Department	Cell calls	239.45
95-05	Sr. & Community Center	Fees, rent, lunch	548.00
96-05	Police Department	Court reimbursement	24.00
97-05	Zoning Department	Certif, amend, other	2,653.00
98-05	Fire & EMS Department	Foster Care Inspection	15.00
99-05	Sr & Communtiy Center	Fees, rent, don, lunch, refresh	251.66
100-05	Council on Aging	COA for January	12,474.55
101-05	OJP Grant	OJP Grant for January	7,419.00
102-05	STAR Ohio	Star interest for January	4,288.34
103-05	Fifth Third Bank	Interest for January	15,522.64
104-05	Investment 5/3 36M	Investment interest	25,000.00
105-05	Administration Depart.	Escrow Overpmt Credit	2,511.00

Mrs. Harlow requested one appropriation adjustment for the Public Works Department: take \$5,000 from 2031-330-360 (road contracts) and adjust \$5,000 to 2031-330-420 (salt/calcium) Mrs. Rielage made such motion and Mr. Fiedeldey offered the second No discussion and the roll was called:

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

Mrs. Harlow read a request for a liquor permit transfer she received from the Ohio Division of Liquor Control The transfer is to Wolff Holdings LLC, DBA Evil Twin Bar & Grill, 8325 Colerain Ave from Kardan Inc., DBA Extra Innings, 8325 Colerain Ave. She asked of the Board would like to request a public hearing The Board suggested the Police Department look into this and will revisit it at the next meeting.

Mrs. Harlow reminded the Board that the Township is seeking a grant from FEMA to assist with the costs of the snow storm in December. Mrs. Harlow requested Mr Fiedeldey, as the President of the Board, sign a letter authorizing her to sign all documents and in all ways act as the authorized agent relative to the Public Assistance Grant Program for FEMA-DR-3198-OH.

RECORD OF PROCEEDINGS  
REGULAR

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ADJOURNMENT

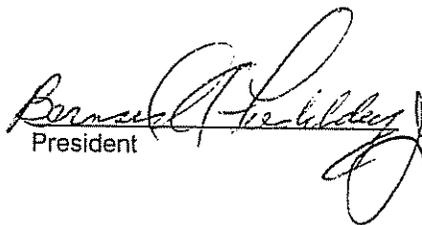
With no further business to come before the Board, at 9:03 PM, Mrs. Rielage motioned for adjournment. Mr. Corman offered a second.

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mrs. Rielage "Aye"

  
Clerk

  
President