

Held _____

February 14, 2006

OPENING OF MEETING

Mr. Corman called the meeting to order at 6:07 PM with Mr. Corman, Mr. Fiedeldey, Mr. Ritter, and Mrs. Harlow in attendance.

EXECUTIVE SESSION

Mr. Reuter requested the Board go into executive session to discuss matters relating to pending litigation, the negotiation of a contract for property acquisition, and the employment and compensation of a public employee.

At 6:08 PM, Mr. Fiedeldey made such motion and Mr. Ritter offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

At 7:13 PM the Board reconvened. Mr. Corman said no decisions were made in Executive Session.

INVOCATION AND PLEDGE OF ALLEGIANCE

Fr. Tim Kallagher of St. John the Baptist Church provided the invocation. Boy Scout Troop 828 of Groesbeck United Methodist Church led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Fiedeldey motioned to approve the minutes of December 20, 2005, special meeting of the Board. Mr. Ritter offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

Mr. Ritter motioned to approve the minutes of January 9, 2006, special meeting of the Board. Mr. Fiedeldey offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

For the minutes of the regular meeting of January 24, 2006, Mr. Ritter requested a change on the second paragraph of the Police Department's report under Unfinished Business: change "part of" to "half" and "rest" to "balance."

Mr. Fiedeldey requested two additions under his Trustee Report: add "phase I" in the sentence about Heritage Park and "in 2010" in the sentence about the fire levy. Also, he requested the addition of a sentence about having a report card at year-end.

**RECORD OF PROCEEDINGS
REGULAR**

Minutes of _____

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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Mr. Fiedeldey motioned to approve the minutes of January 24, 2006, regular meeting of the Board, as amended. Mr. Ritter offered the second. No discussion and the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

For the minutes of the special meeting of February 1, 2006, Mr. Ritter requested the first sentence of the third paragraph read, "Mr. Ritter asked Chief Sarver why the shortfall occurred and if we have done any financial projections through year-end." Mr. Ritter motioned to approve the minutes of the special meeting of February 1, 2006, as amended. Mr. Corman offered the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Abstain"
Mr. Ritter "Aye"

PRESENTATION

Cincinnati Art Museum

Amy Danford from the Cincinnati Art Museum talked about Community Engagement Initiative, which brings programming to the community which will be beneficial to all residents. On April 4, 2006, 6-8 PM, the Museum will host a community night at the Senior Center. There will be opportunities to learn as well as create art, for all ages, from pre-school to adult.

Mr. Corman said that he is honored that the Art Museum would select Colerain Township for this program.

SHERIFF'S REPORT

Lt. Mark Schoonover gave the reports to Chief Sarver.

TRUSTEE REPORTS

MR. RITTER

Mr. Ritter requested that Mr. Foglesong provide the Board with an update on filling the Zoning Administrator position.

Mr. Ritter said that Saturday evening he had the opportunity to ride along with the Police Department. He said he earned a lot and it was a great experience. He was reminded again how our Police and Fire departments put their lives on the line each day.

Mr. Ritter welcomed Greg Snyder back after medical leave. He also mentioned The Cincinnati Enquirer article about Heritage Park. He said this is a great signature item for the Township and is due to Greg's efforts.

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MR. FIEDELDEY

Mr. Fiedeldey motioned to set a special meeting for the purpose of holding a work session on February 24, 2006, at noon to the evening, with reconvening at 8:00 AM on February 25, with tentative adjournment at 4:00 PM. The location will be the Roberts Convention Center near Wilmington, Ohio. Mr. Ritter offered the second.

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"

Mr. Fiedeldey said that he was contacted by Juanita Ross of Raeanne Drive about the blasting at Rumpke. Mr. Fiedeldey said that he knows Mr. Spriggs had made a visit to her home and asked what we should do now.

Mr. Corman said that he knew this was a problem and we had brought it up to try to get better control. We should get some one out here to talk with the corporation.

Mr. Ritter suggested that more charges at a lower grade might help. He asked Mr. Birkenhauer, acting Zoning Administrator, to review this. Mr. Birkenhauer said that we have received other complaints. He will set-up another meeting with Rumpke.

Mr. Ritter asked who is responsible for monitoring this. Mr. Foglesong said that Vibra-Tech provides us with reports, but the problem is with interpreting those results.

Mr. Corman requested a copy of the complaints and the reports. He said we should set-up a meeting with Rumpke to resolve this problem.

Mr. Fiedeldey asked Mr. Reuter for his opinion. Mr. Reuter said that when we review the reports we may find that the activity is with standards. The analysis should be if the activity is a nuisance and the standard might be faulty.

Mr. Fiedeldey said those being affected have residential zoning. He does not care what the seismographs say, this is a problem.

Mr. Fiedeldey said that the Board should visit one of the homes, each separately to witness this. Mr. Foglesong said the problem is the schedule is erratic, but we can request the schedule from Rumpke.

Mr. Fiedeldey said this is hearsay, but one of the residents complained to the owners of the landfill and asked how he would sell his home with the blasting occurring. The corporation reportedly told the homeowner that they should schedule a home showing when the corporation is not blasting.

MR. CORMAN

Mr. Corman said that he has received an e-mail from the Ohio Historical Society.

March 1 is statehood day in Ohio. More information is available at www.ohiohistory.org/about/lu/sd

Mr. Corman said that he attended the Township Association's joint meeting with the Hamilton County Engineer, who presented issues analysis reports.

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He mentioned the 10 ten intersections in the County for vehicle crashes Colerain and Springdale is in the third spot. The intersections of Dry Ridge/Colerain as well as Ronald Reagan Highway have dropped.

At the intersection of Kemper Road and US 27, there was one fatality, where as there were two on East Miami River Road.

He also discussed the improvements which are planned, including slide corrections on East Miami River Road and Blue Rock. Traffic flow will be updated on Springdale and Poole roads. Also the old Blue Rock Road bridge over the Great Miami will be demolished.

Mr. Corman said that we have received the results of the Community Grant funding from Hamilton County. In 2006-2008, Colerain Township will receive \$150,00 for the Skyline Community Center management, \$60,000 for code enforcement/rehab and \$1.3 million for street improvements.

CITIZEN ADDRESS

No one signed up. Mr. Corman asked if any one in attendance wished to speak before the Board.

William Stegmuller of 6824 Kern Drive approached the Board about the home he purchased at 6989 Springdale Road through a sheriff's sale in a foreclosure case on October 27, 2005. He said his property tax bill (due 1/31/06) included a Colerain Township assessment for \$618.61 for grass cutting in June, 2005 as the result of a nuisance complaint. He said the assessment was not submitted by the Township to the County Auditor until November. He requested reimbursement because if it was on the tax bill when he purchased the property, he believes the Plaintiff in the foreclosure case would have paid the assessment.

In response to Mr. Corman's question, Mrs. Dale said that for the nuisance abatement assessments, there are no deadlines for submittal.

Mr. Corman asked Mr. Reuter if we can reimburse Mr. Stegmuller. Mr. Reuter commented briefly on the merits of the claim. He said that in the usual case, the taxes and assessments that are unpaid and overdue at the time of the sheriff sale are paid. In other words, the last tax bill is paid out of the proceeds of sheriff sale. In this case, the last tax bill would have the tax bill due June 30, 2005, which covered the period of the second half of 2004. Since the assessment would not have been on the tax bill due June 30, 2005, he doubts that it would have been paid out of the proceeds of sheriff sale. Mr. Reuter will check into the matter, and report back to the Board.

UNFINISHED BUSINESS

ZONING

Journalization of Resolution for Tazning ZA2005-10

Mrs. Dale read the resolution.

Mr. Fiedeldej said the resolution says the homes must be "predominately" brick. He asked for a definition of "predominately." Mr. Reuter said he spoke with Tom Abercrombie and this is the language that appears to work. Mr. Fiedeldej said

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that we need precise language for this Mr. Reuter suggested the Board defer this until we have that language.

Special Meeting

Mrs Dale reminded the Board about the Zoning Code work session on March 1, 2006, at 6:00 PM.

LEGAL

Sidewalk Program

Mr Reuter said that he distributed the final draft of the resolution to the Board. He has been unable to set-up meeting with the Hamilton County Engineer's staff to review the resolution and program. He recommended that the Board set this item for action at the February 28, 2006, regular meeting

ADMINISTRATION

Stone Creek TIF Service Agreement

Mr Birkenhauer said the service agreement is the next stage in the process. Both the developer and 5/3 Securities were in attendance. Andrew Brossart from 5/3 Securities approached the Board to receive questions.

Mr Ritter and Mr Fiedeldey said they are satisfied with the agreement. Mr Ritter said that the debt will fund such items as the main boulevard, Colerain Ave. improvements, demolition, Haverkos Lane upgrade, and walking trails to Springdale Road

Mr Ritter motioned to approve the agreement and Mr Fiedeldey offered the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr Ritter "Aye"

Stone Creek Issuance Resolution

Mr Birkenhauer read Resolution #7-06.

Mr. Ritter motioned to approve the resolution and Mr. Fiedeldey offered the second

Mr Corman "Aye"
Mr. Fiedeldey "Aye"
Mr Ritter "Aye"

Aggregation Update

Mr. Foglesong provided an update on the natural gas and electrical aggregation programs. On February 1, 2006, they opened the bids and received four for gas and one for electric

Mr. Foglesong's request is for the Board to approve his signing of the natural gas agreement between the Township and Intergas Supply.

Mr. Foglesong said that he has requested the customer list from Cinergy.

Mr Fiedeldey asked how they determined citizens would save \$103. Mr Foglesong said the estimate is based on averages. Mr Fiedeldey said Mr. Foglesong did an excellent job.

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Mr. Foglesong responded to Mr. Ritter's request for an update on the replacement for the Zoning Administrator. Mr. Foglesong said that it has been advertised and 15 qualified candidates have been received so far. The deadline for resume submission is February 17. Mr. Foglesong said he hopes to conduct interviews in March.

Mr. Reuter had one other item. He read Resolution # 8-06, Resolution Initiating Comprehensive Amendment of the Colerain Township Zoning Resolution and Zoning Map.

Mr. Ritter motioned to approve the resolution and Mr. Fiedeldey offered the second.

Mr. Fiedeldey said this is just forwarding this on and the timing seems compressed. Mr. Corman said that we want to be sure that everything is addressed to the fullest.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

NEW BUSINESS

FIRE DEPARTMENT

Part-time Hire

Chief Smith recommended the hiring of Keith Lainhart as a part-time firefighter/EMT at the rate of \$11.31/hour.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

Part-time Pay Rate Change

Chief Smith requested two pay rate changes:

- Shane Packer to Firefighter/Paramedic at the rate of \$13.43, effective January 23, 2006
- Kevin Draper to Firefighter/Medic/FAO at the rate of \$13.82, effective January 25, 2006.

Mr. Fiedeldey made such motion and Mr. Ritter offered the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mr. Ritter "Aye"

POLICE

Motorcycle Purchase

Chief Sarver requested permission to purchase a new police motorcycle for our Traffic Safety Officer. Due to our past affiliation with the Aces & Eights Harvey-Davidson dealership they have made us a goodwill gesture that is nearly unbelievable. They have offered to sell us a brand new 2006 police edition.

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Harley-Davidson motorcycle for just \$1,500 in exchange for the trade-in of our current 2002 model.

The Manufacturer's Suggested Retail Price of the 2006 Harley-Davidson is \$18,245. Additional costs such as preparation, freight, documentation, and title fees amount to \$936.09 for a total cost of \$19,181.09. They are willing to accept our 2002 model as a trade-in at a value of \$9,960. On top of this they have offered us a "goodwill discount" of \$7,721.09 off the total cost. The effective cost of the new 2006 model would be \$1,500. Our current motorcycle is beginning to show signs of wear and tear and costly repairs may be right around the corner as the motorcycle gets older.

Chief Sarver reminded the Board that in late 2005, our Police Department was presented a donation of \$1,500 from the Goodtimers' Association for our participation in their annual Freedom Ride. After the Board accepted the donation he said the money would be used to support our motorcycle unit. The \$1,500 we received from them will be used to pay the difference between the trade-in model and the new model.

Mr. Fiedeldey made such motion and Mr. Ritter offered the second.

Mr. Ritter said that this is an incredible deal, especially since we are paying for it with a donation. Mr. Fiedeldey said this is a good deal.

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"

SENIOR CENTER

Departmental Cooperative

Mrs. Klosterman said their bus driver detected a gas leak in client's home. Mrs. Klosterman said that she called Lt. Mark Walsh of the Fire Department who referred the matter to Capt. Forinski. Mrs. Klosterman thanked Chief Smith for his department's quick work on this.

SERVICES

Authorization to Fill Vacant Position

Mr. Snyder requested approval to hire a new, full-time Maintenance Work I position, at the rate of \$17.33/hour. Mr. Snyder said this person would be primarily stationed at Heritage Park for maintenance. He said that there might be some part-time employees interested in the position, which he would like to fill by April 1, 2006. Mr. Snyder said the responsibilities will include moving, weed-eating, dog stations, ball field maintenance and watering, mulching, maintenance of Dunlap Cemetery, and other duties.

Mr. Ritter made such motion and Mr. Fiedeldey offered the second.

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"

RECORD OF PROCEEDINGS

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

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FISCAL OFFICER REPORT

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
35-06	Dusty Rhodes	Perm Tax, Motor Veh	36,614.34
36-06	Zoning Department	Amendment – returned	1,268.97
37-06	Zoning Department	Certificates, Other	4,382.88
38-06	Police Department	Court Reimb, Imm fees	286.00
39-06	Sr. & Community Center	Prog. Fees, Lunch	228.00
40-06	Police Department	Court Reimbursement	24.00
41-06	Fire & EMS Department	Postage, Permit Fees	91.00
42-06	Rumpke	Solid Waste Disposal	34,332.49
43-06	Fire & EMS Department	Katrina Reimb, Cell, Reports, Signs, etc.	11,698.87
44-06	Fire & EMS Department	EMS Billing	5,205.92
45-06	Police Department	D.A.R.E. Payment	2,052.00
46-06	Sr. & Community Center	Prog Fees, Don, Lunch	139.48
47-06	Public Works Depart.	Snow Removal	2,193.60
48-06	Sr. & Community Center	Crafts, Fees, Rent, Don	585.20
49-06	Parks & Services Dept.	Amphitheater Rental	100.00
50-06	Fire & EMS Department	Plan Review Fees	150.00
51-06	Sr. & Community Center	Fees, Don, Lunch	245.30
52-06	Police Department	Court Reimbursement	48.00
53-06	Fire & EMS Department	Memo Receipt	
54-06	Police Department	Memo Receipt	
55-06	Police Department	Reports, Fingerprints, Court Reimbursement	23.15
56-06	Greg Snyder	Cell calls	12.00
57-06	Public Works Depart.	Snow Removal	462.00
58-06	Dusty Rhodes	Adv. 1 st Half Real Estate	3,620,000.00
59-06	Dusty Rhodes	SIF, Rev Assist, Fin Inst	71,818.08
60-06	Dusty Rhodes	Gas Tax, Local Highway	20,826.95
61-06	Dusty Rhodes	4 th Qtr. 2005 Lodging	1,340.73
62-06	Fire & EMS Department	EMS Billing	20,438.24
63-06	Fire & EMS Department	Name Plates, Signs, Reports, Cell, CTTC, etc	6,107.55
64-06	Sr. & Community Center	Crafts, Fees, Rent, Don, Lunch	762.56
65-06	Police Department	Drug, State Park, DUI	1,305.00
66-06	Sr. & Community Center	Fees, Rent, Don, Lunch	1,117.00
67-06	Public Works Depart.	Snow Removal	145.82
68-06	Police Department	Court Reimbursement	18.00
69-06	Zoning Department	Certificates, BZA	1,147.08
70-06	OH Bureau of Workers Compensation	Workers Comp Premium Refund	13,942.62
71-06	Fire & EMS Department	Plan Review Fees	300.00
72-06	Sr & Community Center	Crafts, Fees, Rent, Don, Lunch	385.00
73-06	Crawford & Company	Insurance Claim Admin	536.00
74-06	Police Department	Court Reimbursement	6.00
75-06	Administration	Cell Reimb. Frank/David	32.15
76-06	Fire & EMS Department	Plan Review Fees	150.00

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77-06	Time Warner Cable	4 th Qtr 2005 Franchise	80,857.43
78-06	Parks & Services	Great Miami Runoff Pr	5,619.00

Mr. Fiedeldey made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Corman "Aye"
- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"

Mrs. Harlow said he has received two notices from the Ohio Division of Liquor Control:

- A stock change for Airy Pony Keg, Inc., DBA Airy Pony Keg, 7549 Colerain Ave
- A transfer from Memon 4 Inc, DBA Dairy Mart 5290, 2510 W. Galbraith Road to Puhin Inc. DBA Dairy Mart 5290, same address

On the advice of Chief Sarver, the Board requested no hearings for these.

Mrs. Harlow requested the Board's approval to establish Fund 2907, "Stone Creek Tax Increment Equivalent Fund."

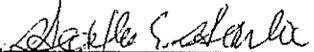
Mr. Ritter made such motion and Mr. Fiedeldey offered the second.

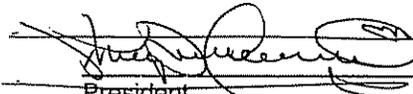
- Mr. Corman "Aye"
- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"

ADJOURNMENT

With no further business to come before the Board, at 9:26 PM, Mr. Ritter motioned for adjournment. Mr. Fiedeldey offered a second.

- Mr. Corman "Aye"
- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"


Fiscal Officer


President