

Minutes of _____

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held _____

April 11, 2006

OPENING OF MEETING

Mr. Corman called the meeting to order at 5:35 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 and imminent litigation, the employment and compensation of a public employee, and the purchase or sale of property.

At 5:36 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 7:04 PM the Board reconvened. Mr. Reuter said no actions were made in Executive Session.

INVOCATION AND PLEDGE OF ALLEGIANCE

Van Cochrane of Vineyard Community Church Northwest provided the invocation. St. John's Boy Scouts, troop 641 led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Corman asked for corrections or additions to the minutes of the March 14, 2006, regular meeting. Mr. Fiedeldey asked that the conversation between he and Mr. Haberthy be re-worded to be more clear. He also asked that the word "not" be deleted from his comments about the blasting.

Mr. Fiedeldey motioned to approve as amended the minutes of March 14, 2006, regular 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. Corman asked for corrections or additions to the minutes of the March 28, 2006, regular meeting. Mr. Ritter added information to the report about Heritage Park irrigation. He also requested that "Mr. Fiedeldey agreed," be added under the discussion about the permanent appropriations to indicate that Mr. Fiedeldey agreed that the Police District should pay for the advance before we purchase the vehicles.

Mr. Fiedeldey motioned to approve as amended the minutes of March 28, 2006, regular meeting of the Board. Mr. Ritter offered the second. No discussion and the roll was called:

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

PRESENTATION**Eagle Scout Certificate**

Mr. Ritter said this would defer to the next meeting.

SHERIFF'S REPORT

Lt. Mark Schoonover read and gave the reports to Chief Sarver.

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TRUSTEE REPORTS**MR. FIEDELDEY**

Mr. Fiedeldey said that a couple of meetings ago, he brought up taking the interest monies from the police and fire and putting it back in the departments. Mrs. Harlow said she will make a second call to the State Auditor's Office about the procedures for doing this.

MR. RITTER

Mr. Ritter said he had nothing to report.

MR. CORMAN

Mr. Corman discussed the exhibition at senior center last week in conjunction with the Cincinnati Art Museum. He said the turn out was unbelievable, which says a lot for our community. The talent displayed in the artwork by the Seniors under Marlene and Kay's instruction was unbelievable – beautiful and inspirational. The Schools also had representatives from their classes, which showcased the growing and existing talent. The next event will be in the summer in the parks.

CITIZEN ADDRESS

Gary Broughton of 9880 East Miami River Road approached the Board to discuss the aftereffects of Friday night's bad storm. His home is located across the street from Truman's construction. He said that the storm sewers backed up.

Mr. Corman suggested Mr. McClain work on this with him. Mr. Broughton said there are health issues as well as motor bikes and junk cars. Mr. Corman said the Zoning Inspector can help with the junk cars.

Steve Hebler of 9980 East Miami River Road is a neighbor to Mr. Broughton. He said he is trying to get resolution on a number of issues with Truman Constriction. Mr. Hebler said blocking the water way caused problems for his neighbor.

John Knab of 8238 Eagle Creek has been there for 20 years. He said his neighbor put a pipe in his yard and dammed the springs which fed Mr. Knab's lake. He said that according to county law, you cannot change water patterns. Mr. Knab has erosion on north and south ends of his property because of the neighbors. He has hired an attorney and a professional engineer. The neighbor claims that Mr. Knab allowed him to do this. Mr. Knab said the neighbor is running a business from his home. Said he has a CAUV, but he is not a farmer.

Mr. Knab asked if the Township can do anything about the business being run from the home. Mr. Reuter said the general rule is that you can not conduct a business in a residential area, but he said the Board would not be well served if he answered this question now.

Mr. Fiedeldey suggested that Mr. Knab go before the Board of Hamilton County Commissioners. Mr. Corman suggested he provide the Commissioners with copies of any information and reports he has.

Jerry Garrett of 3271 Rock Acres Ct. approached the Board about the lighting district. He said that he thought the Board would make a decision about this tonight. Mr. Birkenhauer said we can put it on agenda as an action item.

Alan Schell of 3978 Thimbleglenn is also concerned about the problem on East Miami River Road.

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UNFINISHED BUSINESS**SERVICES****Poole and Springdale Clean UP**

Mr. Snyder said that Mrs Dale has obtained a Right of Entry form from Mr Reuter for the Pickens property. Mrs Dale has attempted to contact Mrs Pickens to explain the form and to gain entrance for the Parks & Services Department to clear the boat and tires. Because attempts to reach Mrs Pickens have been unsuccessful, Mr. Snyder will try to look up her sons. Mr. Ritter asked for an update on this within in the next week

Colerain Park Amphitheater Summer Agenda

Mr. Snyder said that at the February 28, 2006, meeting, Mr. Ritter asked if Colerain School banks were including in our summer agenda. Northwest Local Schools do use the amphitheatre for their own concerts. They schedule and advertise their own events and we post on our Colerain Park marquee. He provided the Board with a schedule of the entertainment for the 2006 season. He said that Ms. Wilson did a great job of negotiating prices and came up with a cost efficient schedule geared to all age groups.

ZONING**Update about April 6, 2006, RPC Hearing for Text Amendments**

Mrs Dale reported that the Regional Planning Commission hold hearings on April 6, 2006. The Commission voted 5-0 recommending denial of the SWD and ME districts and voted 5-0 for approval of the sign regulations and the purpose statements. The Colerain Township Zoning Commission will meet on April 18, 2006, and will hold public hearings for these articles.

ADMINISTRATION**Signing of Engagement Letter, Peck Shaffer & Williams as Bond Counsel**

Mr. Birkenhauer read Resolution 18-06, "Resolution Engaging Peck, Shaffer & Williams as Bond Counsel for the Township of Colerain."

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

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"

Rockacres Lighting District

Mr. Corman said there were two proposals, one to move the lights and the other to shade the light in question. Mr. Ritter said that 82% of the citizens were for this and he feels they are entitled to action. He said that moving the lights would cause further delays. He feels that we should go forward with the shield option. Mr. Fiedeldey agreed.

Mr. Fiedeldey motioned that the Board approve the lighting district with the contingency of having the shield. Mr. Ritter seconded.

Mr. Birkenhauer read Resolution 19-06, "Rockacres Court Lighting District "

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

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Mr. Corman said this is a wise decision to make and apologized for the hold up. While he believes that the majority rules, it is important to acknowledge the others

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

NEW BUSINESS

FIRE DEPARTMENT

Part-time Pay Rate Change

Chief Smith requested pay rate changes:

- Bill Barnes to Firefighter/Paramedic, at a rate of \$13.43/hour, effective March 28, 2006
- Carl Murray to Firefighter/Paramedic, at a rate of \$13.43/hour, effective March 25, 2006
- Bob Lehman to Firefighter/Paramedic, at a rate of \$13.43/hour, effective March 25, 2006

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

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

Donation Acceptance

Chief Smith requested the Board accept a donation in the amount of \$50 from the Spring Grove Cemetery. He also requested the Board accept a donation of a commercial gas stove, valued at \$4,000, and a dishwasher valued at \$500, from Givaudan Flavors.

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

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

POLICE

Grant Opportunity for the Purpose of Acquiring 35 Tasers

Chief Sarver requested permission to apply for a grant through the Office of Criminal Justice Services for the purpose of acquiring 35 Tasers (model X-26) which would provide one Taser for each officer in the Department. The total amount requested from OCJS would be \$26,404. Because this grant requires a matching 10% by the requesting agency, our cost would be \$2,934.

Mr. Corman asked about what they would do with the old Tasers. Chief Sarver said there are resale possibilities, but no reason to keep them.

Mr. Fiedeldey suggested they ask for 40 Tasers to have spares. Mr. Ritter asked how that might inhibit the probability of obtaining the grant. Chief Sarver said they know we have 35 officers and they have a maximum amount, which we have reached.

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Mr. Corman said the Sheriff's office has used this model of Taser for quite some time. We should keep up with cutting edge technology, especially in the public safety areas.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Fiedeldey said his company would provide a 50% match to the department for the purchase of the Tasers.

Pay Step-up, Ed Smith

Chief Sarver requested a pay step-up for Ed Smith to Step 6, effective 4-16-06, to the rate of \$18.79/hour

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Purchase of Replacement Vehicles for County Contract Cars

Chief Sarver said the 2003 agreement signed by the Board of Trustees and the Hamilton County Sheriff's Office stipulates that replacement vehicles will be provided for the contract cars when necessary and agreed upon by both parties.

The three current vehicles we provide are 2001 models. The vehicles have mileage totals of 82,000, 99,000, and 119,000, all considered excessive for vehicles used everyday for patrol purposes. The County sent out an Invitation to bid to numerous vendors. The bid per vehicle was \$21,091, for a total cost of the three at \$63,273. We have been offered \$2,000/vehicle trade-in. The total cost to us should not exceed \$57,273. The Department's Permanent Appropriations request allowed sufficient funding the purchase of five new police vehicles in 2006, two for our department and three for the Sheriff's Office. Chief Sarver recommend that the Police Department be allowed to repay the advance made from the General Fund in two installments-- \$150,000 now and another \$150,000 after the next major tax receipt from the County Auditor's Office to the Police District.

Mr. Ritter asked how we determine when to buy new cars. Chief Sarver said there is a lot of wear and tear on these vehicles and they have met their useful life. Mr. Fiedeldey asked about the traffic cars versus the Neighborhood Resource Officer's car. Mr. Ritter suggested we ask the Sheriff to transfer the car with the fewest miles to the NRO and purchase two new cars for the patrol officers. Mr. Fiedeldey said they should transfer the best car to the NRO.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

SENIOR CENTER

Pay Rate Increase for James Blackmon

Thanked the Board and Fiscal Officer for attending the Art for Life Event. About 700 people attended.

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Mrs. Klosterman requested the Board approve a pay rate increase for James Blackmon, effective April 13, 2006, from \$9.00/hour to \$9.32/hour.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Pay Journalization per Contract for Ray Richburg and Alvin Meyer

Mrs. Klosterman reported pay journalizations per the contract for Ray Richburg and Alvin Meyer.

SERVICES

Vehicle Transfer

Mr. Snyder said that Mr. McClain has been generous to the Services Department in letting them use a one ton dump truck during the past two winters for snow removal and on occasion throughout the year. The Services Department has had a need because of vehicle shortage and having no vehicles equipped for snow removal. This 15-year old truck is still in good working condition for the less demanding needs of the Services Department. The vehicle is a 1990 Chevrolet 1-ton dump truck with 59,937 miles, with a diesel engine, plow assembly, plow, and salter. Mr. McClain has budgeted to replace the aging unit.

Mr. Snyder requested the Board approve the transfer the vehicle from the Public Works Department to the Parks and Services Department.

Mr. McClain said his department has been short-handed and will buy a new truck. He has the appropriations to replace the truck. He said the vehicle had very heavy use, but close to home.

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

Mr. Corman said to Mr. McClain that he appreciates his professionalism to make these decisions.

The roll was called:

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Heritage Park Baseball Field and Parking Lot Bids/Re-bid

Mr. Snyder said that nine companies took out bid packets from CDS and only three submitted bids:

Trend Company	\$1,031,756.50	Base Bid
	\$1,231,756.50	Alternate #1 plus base bid
Schumacher Dugan	\$955,203.25	Base Bid
	\$1,222,340.25	Alternate #1 plus base bid
Jeffrey Allen Corp	\$794,453.38	Base Bid
	\$1,028,222.38	Alternate #1 plus base bid

Mr. Snyder said that Alternate number one was to substitute crushed red brick instead of a soil combination of sand, clay, and silt for the warning track, pitchers mound, better box, and any infield dirt.

Mr. Snyder said the lowest bid of \$794,453.38 amounted to 18% over the engineer's estimate. We are required to have the project re-bid. He has had

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several conversations with the engineer and said there are two major factors affecting the cost differences: fencing and soil combination, with the fencing as the largest difference. For the four ballfields, it is a difference of \$160,000 between Jeffrey Allen Corp.'s bid and the engineer's estimate. The engineer did not have enough estimated for the fencing and were surprised by how high the fencing prices came in. The engineer apologized for the miscalculated estimate. Mr. Snyder told the engineer that the township will not be responsible for the re-bidding costs due to their error. The engineer agreed to pick-up all costs involved in the re-bidding process. The engineer has provided Mr. Snyder with an increased estimate of \$140,000, for a total of approximately \$794,068 for the fields and parking.

Mr. Snyder requested permission to re-bid the project.

Mr. Ritter said he sees no problem as we want a good park. He would like to see how the bids come in.

Mr. Fiedeldey said that if we re-bid with the same drawings, we'll get the same result. The engineer is raising the estimate so that we're within budget. He said that we need to look at what we are bidding. He said he has not seen the drawing and it is prudent that the Board does this. He questioned the fencing because of flooding and suggested covered posts. He said the contractors will have to sub-contract out some of the work.

Mr. Snyder said the fields have been elevated two feet. It would take a large flood to get up there. He said there are 10' and 6' fences.

Mr. Fiedeldey asked about the cost differences between black vinyl fence versus regular chain link. Mr. Snyder said he is not sure of cost differences.

Mr. Corman said there are cost differences and maintenance costs. We must keep the maintenance costs in mind. He said we do not need the red brick.

Mr. Fiedeldey said the parking and concrete should be separate bid package from fence and landscaping, seeding and re-seeding. He would like to see the plans and the bid package.

Mr. Ritter said that on the surface, breaking apart the bids is a good idea, but asked how hard it would be to oversee three contractors. He said we should also address the time line. He suggested we go with the cost effective, and not consider the timeline. He said we should get grass in by September.

Mr. Snyder said he will check with CDS and get back to the Board.

Mr. Birkenhauer asked if the Board wants to see all bid packages.

Mr. Fiedeldey said that is not necessary in all cases, but he would like to see these drawings.

Mr. Corman said he would like to see the drawings and the engineer did not include all items.

ZONING

Riverfront District Text Recommendations

Mrs. Dale said there were questions raised about the Riverfront District, with the permitted uses, etc. It will take two weeks to review.

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Resolution for LUPA 2005-01 Hamilton Ave. Corridor Study and Misc. Updates

Mrs. Dale read Resolution 20-06, "Case No. LUPA 2005-01 Hamilton Ave. Corridor Study and Miscellaneous Updates."

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

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

Resolution for Weed Abatement

Mrs. Dale read Resolution 21-06, which provided for the removal of weeds and debris at the noted address.

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

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

Mrs. Dale request the Board set a Special Meeting for April 13, 2006, at 5:00 PM, for the purpose of interviewing applicants for the Zoning Administrator position.

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

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

FISCAL OFFICER REPORT

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

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

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

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
173-06	Fire & EMS Department	Memo Receipt	
174-06	Dusty Rhodes	Local Highway Dist.	2,397.61
175-06	Dusty Rhodes	2 nd Qtr 2005 RRI Award	17,622.45
176-06	Dusty Rhodes	Motor Veh Reg Exc IRP	1,344.38
177-06	Dusty Rhodes	SIF & Rev. Assist	57,630.66
178-06	Dusty Rhodes	Tipping Fee	502.06
179-06	Dusty Rhodes	Adv 1 st Half Real Estate	525,000.00
180-06	Dusty Rhodes	1 st Half Real Estate Tax	454,449.88
181-06	Parks & Services Dept.	Shelters, Amphitheater	210.00
182-06	Public Works Depart.	Snow Removal	457.40
183-06	Zoning Department	Certificates, BZA, Amendments, Other	2,857.75
184-06	Office Depot	Overpayment Refund	381.34
185-06	Parks & Services	Postage Reimb, Shelter	322.71
186-06	Fire & EMS Department	Inspection Fee	15.00
187-06	Police Department	Reports	4.85
188-06	Jerry Quinn	Rental Refund Overpay	150.00

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189-06	Parks & Services Dept.	Shelter Reserve, cell re	110.00
190-06	Police Department	Court Reimbursement	30.00
191-06	Fire & EMS Department	EMS Billing	8,841.59
192-06	Fire & EMS Department	Name Plates, Remb, Post, CTTC, CPR, etc.	10,272.29
193-06	Zoning Department	Certificate, BZA, Amend	1,220.08
194-06	Police Department	Court Reimbursement	54.00
195-06	Fire & EMS Department	Inspection Fee	75.00
196-06	Fire & EMS Department	Plan Review Fee	75.00
197-06	Police Department	Fines: DUI, Park, Drug	1,298.50
198-06	Sr. & Community Center	Fees, Rent, Don, Lunch	970.87
199-06	Public Works Depart.	Snow Removal	756.90
200-06	Dusty Rhodes	Gas Tax March	19,543.78

Mrs. Harlow said she received notice from the Hamilton County Board of Elections that those residents in Colerain Township – Precinct AAA will have a question on the ballot May 2, 2006, about the sales of alcohol at the Olive Garden restaurant on Colerain Ave.

Mr. Fiedeldey said the Board is trying to be prudent in how we spend taxpayer money. But, is the fact that the expenditure in the department's budget the only deciding factor? Is it prudent to question that? Is it a want or a need? He said that we need to look at that and try to get a balance. He asked the Board members where they agree that the Board needs to "watch it."

Mr. Ritter said that the Board talked about this at the retreat. He said the Trustees have a responsibility to look at this. We need to watch questioning. The Department Heads should expect trustees to look critically at all expenditures. He said the Board should keep questions respectful.

Mr. Birkenhauer said that he thought we had agreed on a number, where the administrator had some discretion, but the number was not clear.

Mr. Fiedeldey said expenditures over \$2,000 require getting three bids.

Chief Smith said Mr. Foglesong tells them his expectations. Chief Smith said he does not know where the Board wants to get involved. Chief Smith asked the Board how much freedom the Department Heads have.

Mr. Fiedeldey said he does not want to look over their shoulder, but there should be a threshold.

Mr. Corman said that we should have trust in our employees. We should trust them in their professional position. We pay the department heads good money to do what we cannot do. We are a corporation with 60,000 investors, the citizens. We must ensure that their investment – the tax money – is implemented properly. We need to come to an understanding that if we are going to question the needs the departments come to us with, we should not go blindly saying yes, but we must have faith in them that they are following our leadership and getting the most bang for the buck.

Mr. Snyder said he would like to see a monetary threshold of what he can do and what Mr. Foglesong can do. After a certain height, it comes to the Board.

Mr. Reuter spoke to the Board about the property at 8562 Sunlight Drive. He said there was a fire and the owner, Anna Klemmens, is deceased. There is no estate and the property is declining. The County Building Dept. has not

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condemned the property and a relative indicated that there are three heirs, with two not able to be located. Mr. Reuter will attempt to identify and locate the heirs and get their consent to demolish. If he is not able to do that, he requested the Board's permission to file a declaratory judgment action to declare the property a nuisance

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

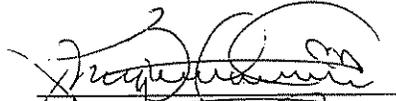
- Mr. Corman. "Aye"
- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"

ADJOURNMENT

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

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


 Fiscal Officer


 President