

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

June 13, 2006

OPENING OF MEETING

Mr. Corman called the meeting to order at 6:03 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 and the employment and compensation of public employees.

At 6:04 PM, Mr. Ritter made such motion and Mr. Fiedeldey offered the second. No discussion and the roll was called:

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

At 7:12 PM the Board reconvened. Mr. Reuter said no actions were taken in Executive Session.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mrs. Harlow offered an invocation and Colerain Township Police Department Honor Guard lead the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Corman requested approval of the April 25, 2006, regular meeting minutes.

Mr. Ritter requested that the Sidewalk Variance Request section be edited to add that, "He said *that until he can see the site for himself*, he agrees with Mr. Fiedeldey...."

Mr. Fiedeldey requested that this same section be amended to add "so that the developer can proceed with the project."

Mr. Ritter said under his Trustee Report, he requested the first sentence to be amended to add "expenditure approval" thresholds. Also, the "not" should be removed from the second paragraph.

Under Citizen Address, Mr. Corman requested his comment be amended to read, "...we can pass ordinance, but if there is not a way to enforce them, they are useless."

Under the discussion about the ballfields at Heritage Park, Mr. Ritter requested that his statement be revised to state "...we have a good niche *market that we can tap into*..." Mr. Fiedeldey requested his comments about the dry wells be edited to say, ""The grass mound in the middle of the parking lots should be eliminated as they are added maintenance, limits access to the baseball fields and the grass clippings could clog the drywells."

Under the request to hire the new Director of Planning and Zoning, Mr. Fiedeldey requested his question of how long the former director was on staff be added, which was eight years.

Mr. Ritter motioned to approve the minutes as amended, and Mr. Fiedeldey offered the second.

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

Minutes of _____

Meeting _____

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

REGULAR

Form 6101

Held _____

June 13, 2006

Mr. Corman requested approval of the May 23, 2006, regular meeting minutes.

Mr. Ritter requested the proper spelling of Mrs. Lindemood's name in Citizen's Address. He also requested that his comments say, "It was encouraging to see many new faces show an interest in this issue."

Mr. Ritter motioned to approve the minutes as amended, and Mr. Fiedeldey offered the second.

Mr. Corman. "Abstain"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Corman requested approval of the June 8, 2006, special meeting minutes.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

SHERIFF'S REPORT

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

TRUSTEE REPORTS

MR. RITTER

Mr. Ritter said we have a sidewalk program which will allow us to build sidewalks where we have not had them. He said we should decide a process to decide where to place the sidewalks when we have more funds. He received a call from constituent about this. He said the Board should prioritize the most needed area in the Township.

Mr. Fiedeldey said that when this was introduced, he said the idea was to continue the sidewalks at the Administration building to Colerain Park to Colerain High School and to Colerain Avenue. Mr. McClain said that nothing has transpired with this.

MR. FIEDELDEY

Mr. Fiedeldey said that each meeting, more residents coming before Board prodding for a property maintenance code in the Township. It is probably necessary as there are areas with needs. He said the property maintenance code is one phase of what we need to do. We need to address this in a comprehensive manner. He suggested that the Board think about this and consider it from a comprehensive standpoint – not just police, property maintenance, zoning, fire department, road crews, etc. He said that homes are an investment – it is important that we protect property values and those who are trying to do the right thing. There are others who just do not care. He said that we should do this to make Colerain Township a better place to live. He said that there must be a political will that will recognize the problems and come up with a plan. One issue is that there are many rental units, up to 25% in some areas.

Mr. Corman suggested the Board submit ideas to Mr. Foglesong for compilation prior to the next meeting. Mr. Ritter said this is a timely idea and said that he will dig into the budget to avoid a tax increase and seek funds for an undercover unit in the Police Department.

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

June 13, 2006

MR. CORMAN

Mr. Corman noted an item from the Ohio Township Associations newsletter which discusses educating people about Townships. There is a video available which provides information about Township structure, etc. He said that people need to be more knowledgeable about their local government, including what the government can and cannot do. Mr. Corman suggested that we order copies for the government classes at Colerain, Mt. Healthy, and Northwest high schools. The other board members agreed.

Mr. Corman said that he had previously provided the Board with information about the old Blue Rock Road bridge in New Baltimore. It will be removed by the Highway Administration and County Engineer. In collaboration with Crosby Township, we are working to make this a memorial area, including plaques from the Bridge and use some usable portions of the bridge. He said that the Engineer will maintain the Memorial for perpetuity. We are to provide landscaping. Mr. Corman requested the approval to sign an agreement to enter into this contract. The other Board members agreed.

Mr. Fiedeldey said the Engineer Office should plant trees there since that is what they typically do when they vacate such an area.

Mr. Corman asked about the Engineer's request that we contribute 1% of the cost of their OPWC/SCIP project for Blue Rock Road. Mr. Fiedeldey said he brought that up at the last meeting and it would be \$20,000. He said that the Engineer's Office has assisted us often. He said this would benefit the Township. Blue Rock, Livingston. Mr. Ritter said that he agrees with the expenditure. Mr. Corman said this is an investment. He credited Bruce McClain said that because of his good relationship with the Engineer's Office, much has happened.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Corman read a letter about the rumor of a new county jail sited in Colerain Township:

Recently, political rhetoric has been hitting the media in regards to the needs construction of a new county jail to house the growing inmate population hindering Hamilton County. During these debates, the topic of places to construct the structure has arisen and at one point, the location of the county property in Colerain Township on Hamilton Ave, was discussed.

At Hamilton County's second largest community, Colerain Township is working diligently to keep jobs in Hamilton County by creating economic growth and development. Constructing a jail in the middle of a viable economic zone would even further sap Hamilton County's economy. Furthermore, the location is adjacent to a county library, Northwest School District elementary school, new daycare facility, planned nursing home facility, and large residential communities.

Not only is it unwise to place a jail where we are building an economic future for Colerain Township and Hamilton County, it would be foolish to place the jail such a distance from the courthouse, where the judicial process would take place. The added costs for transporting the personnel needed to provide for the public's safety during the transfer of inmates

Held _____

June 13, 2006

between the two locations would be prohibitive and Hamilton County cannot afford that. I believe the 60,000 plus residents as well as the businesses of Colerain Township will stand firm alongside me with an emphatic, NO!

I therefore recommend the submitting of a resolution, signed by the Colerain Township Board of Trustees, stating our position

Mr. Fiedeldey said that he agreed with Mr. Corman.

Mr. Ritter said that that this is ill-advised at best and repugnant at worst. It is a bad business move for the County.

Mr. Corman requested that Mr. Foglesong draft a resolution for the Board.

CITIZEN ADDRESS

Deborah Stewart 1438 Windsong Court, Mason Ohio distributed a complaint to the Board and requested the Board see if it is appropriate to venue to discuss. She said she was involved in a car accident with a Township vehicle. She said that she and her insurance have paid her medical bills.

Mr. Reuter said this is a civil matter and he had not yet been notified about this. He urged the Board to review the facts and contact Ms. Stewart.

Mr. Fiedeldey asked about the \$2,700 in damages to her car, which would be \$4,000 to replace. He asked what she is seeking. She said she would like \$4,000 for the car, \$500 for her medical bills.

Sandy Bloomer of 2602 Haverknoll Drive approached the Board to speak about a problem with re-routing of water on Pippin and Kemper, which is causing damage. Mr. McClain said he has written to the County Engineer, to which they have not replied. They will forward to the Engineer some new information she brought this evening. She said it is the whole neighborhood and it is lowering their property values. Mr. McClain said that he has observed this and water is being directed

Vicki Hayes of 2673 Haverknoll also spoke about the water problem. She feels Hamilton County continues to pass the buck on this. She appreciates working with Mr. McClain. She feels there is a mold problem in her home because of the water. She wants to know where she can get help.

Mr. McClain said that the Hamilton County Public Works Department has referred them to the Engineer's Office, which they are waiting on a response. Mr. Corman said that since the County says the state is responsible, it would be our benefit to get with Sen. Clancy or Rep. Blessing to help us. He would like the Engineer's representative to come to our next meeting to discuss this.

Mr. Fiedeldey asked if her home had flooded because of this. She indicated that yes, it has. Mr. Fiedeldey said that a man from the street came before the Board a few years ago. Mr. Corman said he wants to get this resolved.

Delores Kuhn of 9878 Loralinda Drive approached the Board about the lack of grass cutting and other problems on neighbor's home, 9884 Loralinda. Chief Smith said that they will look at this and see if the building needs to be secured. Mr. Corman said they are looking at ways to expedite the process, but we must follow the laws.

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

June 13, 2006

UNFINISHED BUSINESS**PARKS AND SERVICES****Heritage Park Baseball Fields**

Mr. Snyder said that he had a conversation with Mr. Fiedeldey and he made recommendations about the ball fields, which he shared with the other board members. Mr. Fiedeldey said the two ball fields will be grass infields and there will be underground drainage pipes on the fields. He would like to see the design criteria and we should ask for alternatives to remove the drainage pipes and to add irrigation. While they like the vinyl coated black fence, the coated accessory items also drove up cost, so the brackets, etc. could be galvanized. Mr. Fiedeldey said that we need to be sure that the information is given to the Dodge Report and Allied Construction to notify companies for bidding.

Mr. Ritter said that they have reviewed the plans in detail and added their comments. Funding is secured for this in 2006 appropriations.

Mr. Ritter made a motion to approve as submitted to the trustees. Mr. Fiedeldey offered the second.

Mr. Corman said that this is the people's park and it reflects the Township to the outside world. We want to be sure this is built to reflect, like a good mirror. We can make cuts, but want to be sure they are the right cuts. We need to move forward.

The roll was called:

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

Mr. Fiedeldey asked to have the Engineer send us the design for the underground drainage.

Part-time/Seasonal Wage Adjustment

Mr. Snyder said that Grant Foglesong was hired in 2005 as a part-time seasonal maintenance worker. Grant has requested to be moved from maintenance to the summer program staff, which has a pay scale starting at a lower rate. He requested approval to lower Grant's rate of pay from \$9.20/hour, the rate for a second year maintenance worker, to \$8.64 per hour, the rate for a second year summer program employee.

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

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

ADMINISTRATION**9775 East Miami River Road Update**

Mr. Foglesong said they held a site visit to the property at 9775 East Miami River Road. He has provided the Board with a list of violation orders. They hope to have the action corrected or violations issued by the next meeting

Held

June 13, 2006

NEW BUSINESS**POLICE DEPARTMENT****Pay Journalization**

Chief Sarver notified the Board of a Pay Step-Up and said that this is for information only and does not require action on their part:

Keyonia Tyus - Step 3 - effective 6/20/06 - \$22.94 per hour.

SENIOR CENTER**Donation Acceptance**

Mrs. Klosterman requested the Board accept a donation of an electric scooter, valued at \$1,700, by Lisa Ellis, from her late grandmother, Marion Ellis. Mrs. Ellis was also Heather Harlow's grandmother.

Mr. Ritter thanked Mrs. Harlow for thinking of the Center with this donation

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

PARKS AND SERVICES**Part-time Seasonal New Hire**

Mr. Snyder requested approval to hire three part-time seasonal maintenance employees: Steven Dilbert, David Klotz, and Jared Foglesong, at a rate of \$8.93/hour, effective June 14, 2006. He also requested approval to hire Zachary Barge at a rate of \$8.39/hour, for the summer program.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

ZONING**Weed Abatement Resolution**

Dr. Roschke read Resolution 28-06, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

ADMINISTRATION**Set Budget Hearing**

Mr. Foglesong said the Board needs to set a hearing on the 2007 estimated budget. He suggested Tuesday, July 11, 2006, at 7:00PM.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Held

June 13, 2006

Special Meeting on Health Care

Mr. Foglesong said the Township's health insurance policy is under review by the Township's Health Insurance Committee. They are looking at the programs and offers from the vendors. We need to approve this before the next meeting.

Mr. Foglesong suggested the Board set a special meeting for June 27, 2006, at 4:30 PM.

Mr. Ritter made such motion and Mr. Fiedeldey 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"

The Fiscal Officer has received the following receipts:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
281-06	Sr. & Community Center	Fees, Don, Lunch	98.50
282-06	Parks & Services Dept.	T-shirts, Amps., Shelter	320.00
283-06	Sr. & Community Center	Fees, Don, Lunch	183.25
284-06	Public Works Dept.	Snow Removal	57.75
285-06	Zoning Department	Certificates, BZA, other	636.02
286-06	Fire & EMS Department	Plan Review Fees	150.00
287-06	Greg Snyder	Cell Calls	12.00
288-06	Fire & EMS Department	Foster Care Inspection	30.00
289-06	Frank Birkenhauer	Cell Calls	34.74
290-06	Fire & EMS Department	Plan Review Fee	75.00
291-06	Mark Walsh	Postage	5.00
292-06	Rumpke	Solid Waste Disposal	37,226.08
293-06	Police Department	Immobilization Fees	555.00
294-06	Police Department	Juvenile Traffic, Stone Creek Detail, court	486.50
295-06	Fire & EMS Department	Rent, Tower, Cell, Reimb, CPR, Comm, Reports, Rebate	5,783.55
296-06	Fire & EMS Department	EMS Billing	16,048.58
297-06	Dusty Rhodes	Memo Receipt	
298-06	Dusty Rhodes	Memo Receipt	
299-06	Police Department	Registration Training	2,350.00
300-06	Zoning Department	Certificates, other	897.00
301-06	Parks & Services Dept.	Revenue Adjustment	6.00/493.00
302-06	Crawford & Company	Reimb for Accident	450.00
303-06	Dusty Rhodes	Registration fee	150.00
304-06	Dusty Rhodes	SIF - May, Rev Assist	103,031.56
305-06	Administration Depart.	Memo Receipt	
306-06	Public Works Depart.	Memo Receipt	
307-06	Ohio Public Works Com.	Memo Receipt	
308-06	Parks & Services Dept.	Shelters, T-Shirts	147.00
309-06	Greg Snyder	Cell Calls	10.00
310-06	Frank B. & David F.	Cell Calls	59.56

Held _____

June 13, 2006

311-06	Parks & Services Dept.	Cell Calls	12.00
312-06	Keith Corman	Repay of Conference	523.20
313-06	Fire & EMS Department	Plan Review	75.00
314-06	Sr. & Community Center	Fees, Rental, Don, Lunch	823.44
315-06	Zoning Department	Certificates, BZA	2,612.12
316-06	Police Department	Reimb from Crawford	500.00
317-06	Police Department	State Park Fines, Drug, DUI, Court	1,305.50
318-06	Fire & EMS Department	Class, Tower, Comm, Cell, Reports, Don, CPR, Reimb, CTTC	4,091.85
319-06	Sr. & Community Center	Rental Event Deposit	250.00
320-06	Fire & EMS Department	EMS Billing	7,890.35

Mrs. Harlow requested the Board transfer \$150,000 from 1000-910-910-0400 (transfers out) to 2181-931-0000 (transfers in).

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

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

At 8:55PM, Mr. Ritter motioned for a recess. Mr. Fiedeldey offered the second. The roll was called:

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

The Board resumed at 9:09 PM.

PUBLIC HEARING

Case 2006-01 Text and Map Amendment – Article 17

Dr. Roschke presented the staff report. On April 6, 2006, the Hamilton County Regional Planning Commission voted 5-0 to recommend denial of Case ZA2006-01 Text and Map Amendment – Article 17 to Colerain Township Zoning Commission with modifications. On May 16, 2006, the Zoning Commission vote 4-0 to recommend approval of the case, with modifications to setbacks, landscaping and blasting provisions. The Zoning Commission voted to keep the setbacks at 2,500 feet and to prohibit blasting activities in the proposed "SWD" and "ME" districts.

Mr. Corman opened the public comment.

Nancy Lindemood of 5922 Squirrelsnest said she was at zoning Commission meeting. For the most part, agrees with the Zoning commission on the set back and blasting. She would like to see the height requirement returned.

Tim Mara is an attorney for Welch Sand and Gravel. He stated an objection to Trustee Fiedeldey's participation in and voting on this matter. He feels that he should not use the power of his office.

Mr. Fiedeldey asked if he is being accused of something. He said that he has no conflict of interest and is not abusing the power of his office. Mr. Fiedeldey said that the majority of registered voters in Colerain Township elected him to represent them and he intends to do just that.

Minutes of _____

REGULAR

Meeting _____

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held _____

June 13, 2006

Mr. Mara said gravel mining is important to the area, as it is needed for construction. Gravel is only found in a slim area along the river. Zoning code is a backhanded way of prohibiting mining in the Township and taking the property without compensation.

He said the Zoning text is in contradiction to federal regulations. Welch Sand and Gravel does not object to a prohibition on blasting.

Karen Stephenson deferred her public comment. Since the amendment was not read, she requested a written copy of the amendment. Mr. Foglesong to provide photocopies.

Bill Stracham works at an engineering firm and has worked on 45 landfill sites. He submitted vita to the Board. He said he is speaking at a private citizen; neither he nor his engineering firm is representing the landfill. He worked on zone change when he was the engineering manager previously. He said that the Rumpke Sanitary Landfill is compatible with surrounding land uses, as a conforming use. The Ohio EPA domicile and property line restrictions are sufficient. He presented evidence of new home construction and increased property values within this part of the area, from Hamilton County Auditor's website.

Mr. Ritter asked his opinion on the issue of blasting. Mr. Stracham said there were studies done at Rumpke and always tried to address it. It is a very short-term thing. There is a level of feeling it, but they are below structural damage levels.

Joe Trauth, attorney for Rumpke, said procedurally, there were problems with the process. He has a on-going public records request that notices be sent to him. This has not been complied with. His letter to Zoning Commission on April 25, addressed specific issues. He referred to the proceedings of the Zoning Commission. He said that Townships cannot regulate a business out of business. He said they are dealing with 5th amendment property rights. Hamilton County Regional Planning warned the Zoning Commission about this.

He said they are the third largest employee in this township. Rumpke has been here longer and are being deprived of their rights. This letter conveyed concerns to the Board.

This set-back would prohibit all solid waste in the Township. This is a taking of property rights.

Mr. Trauth said the Zoning text has no basis in studies. Zoning someone out of business is the worst abuse. This could technically damage the citizens of the Township.

Mr. Ritter asked about the height issue. Does this preclude future uses?

Mr. Riddle said that in the 2070s, the landfill will still be drawing gas and leachate. The height is dictated by the geometry of the base. He said there are a great deal of passive recreation possibilities when it is closed.

Mr. Fiedeldej asked about what happens after closure. We can't give up that and the tax base.

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

June 13, 2006

Mr Riddle said that the 2,500' set-back, will have no trash coming in and have no revenue generated. The final plan talks about a green space with grassy slopes, allowing for hiking and biking trails. There is a possibly connecting trails from other parks.

Mr. Fiedeldey said he heard gas would be produced for 200 years. Mr. Riddle said this might not be in quantity.

Mr. Fiedeldey said that he wants something that is viable for the future. Mr. Riddle said that they will continue to manage the land after the landfill is closed.

Mr. Trauth said that the light industrial would continue to operate and provide tax funds to the Township.

Mr. Riddle said the consent agreement is mute on this point, but the closure plan calls for a greenspace.

Gail Epure of 11607 Pippin Road asked about the new homes: are they west or north of the landfill? What about the established homes east of the landfill? Are the OEPA's standards the minimum? Why can't a community make higher standards? She asked if Rumpke violated the height requirement and was fined. She said the Rumpke is the third largest employer. Why would other business want to come here? Warren County officials stopped Big Foot's expansion. If this is so positive, why don't they want this to expand? They are filling up our valleys with garbage – valleys should be protected.

Kathy Thieman of 1284 Stone Mill Road said Rumpke is dumping our future away. It is a total liability for us. They are devastating a whole area. Butler and Warren Counties are giving everything undesirable to us. Having the largest dump in the area is not a credit to the community.

Karen Stephenson is a Colerain Township resident. She said that Rumpke could have requested the amendments prior to this meeting; the Township does the proper notices. She said she believes the Board has the Township's best interest at heart. She urged the Board to accept the amendment as written.

Mr. Trauth said the height requirement was never violated. The landfill in Warren County was built on an aquifer, a situation we do not have here.

Mr. Ritter motioned to close the public input. Mr. Fiedeldey offered the second.
Mr. Corman "Aye"
Mr. Fiedeldey. "Aye"
Mr. Ritter. "Aye"

Mr. Fiedeldey said he heard no viable use for the property after it is closed. He said they can not give up without height restriction.

Mr. Fiedeldey said the 2500 feet restriction came from the Hamilton County Solid Waste Management Committee's task force on siting. He said the 2500' requirement on the surface may seem excessive, but we have had complaints from people a mile away, including about the odor. Prevailing winds are north and east. How can we abate the odor? Can we cover everyday?

Mr. Riddle said that they are open 24 hours a day and the issue of daily cover is more complicated. This is not practical. They cover, but leave part open for night and early-morning trash.

Held

June 13, 2006

Mr. Riddle said the odor control system does a good job of controlling this, but there will be some days when there will be some break-through. They do have more challenges in the summer time

Mr. Fiedeldey, Mr. Riddle and Mr. Trauth talked about the EPA's requirement of a 1000 feet set-back from the domicile.

Mr. Ritter asked about the height requirement. Mr. Trauth confirmed they are OK with the 1074 requirement. There are conflicting legal authorities: per Mr. Trauth, Ohio EPA has total control over this.

Mr. Ritter asked about blasting. He was at Mr. Margrave's home when there was a blast. He talked about lowering the intensity of the blast. He would like to see some threshold on the blasting as it is more restrictive than the US Mines. Mr. Riddle said the Board had previously heard from their blasting expert and received a copy of a study. They are marching to the levels set in the study, which are lower than the Mines Bureau. They are working with low levels of vibration.

Mr. Corman said we are re-hashing things from the past. He would like to look at the legalities of the set-backs, height requirements, conflicting legal authorities, grandfathering of existing businesses, who purchased the properties, and the question of legal limitations we have with our present form of local government. He would like to continue the case.

Mr. Fiedeldey said he supports continuing the case and is trying to get all of the information to make an informed decision. He said that we closed the public address and asked if we can re-open. Mr. Reuter said that the Board can re-open it.

Mr. Fiedeldey motioned to re-open the public address. Mr. Ritter offered the second

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

Mr. Fiedeldey motioned to continue the case to July 6, 2006, at 6:30 PM. Mr. Ritter offered the second.

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

Case ZA 2006-05 Comprehensive Text and Map Amendment

Dr. Roschke said that on May 4, 2006, the Hamilton County Regional Planning Commission vote 4-1 to recommend approval of Case #ZA2006-05 Comprehensive Text and Map Amendments to the Colerain Township Zoning Commission with modifications. On May 16, 2006, the Zoning Commission voted 5-0, to recommend approval of Case #ZA2006-05 with the modifications of the Regional Planning Commission.

Dr. Roschke said that staff, McBride Dale Clarion and the Zoning Commission has reviewed the RPC's staff's comments. Items 1-6 has been corrected or clarified. Items 7-9 have been reviewed by legal counsel and it has been determined that the Zoning Administrator can have discretion and review things administratively. These items are thing where the County and Township agree to disagree.

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

June 13, 2006

Mr. Corman opened public address for this. No one signed-up.

Mr. Fiedeldey motioned to continue the case to July 6, 2006, after the other case. Mr. Ritter offered the second.

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"


ADJOURNMENT

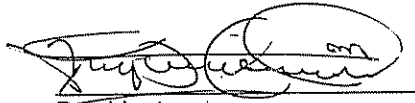
With no further business to come before the Board, at 10:43 PM, Mr. Ritter motioned for adjournment. Mr. Fiedeldey offered a second

Mr. Corman. "Aye"

Mr Fiedeldey. "Aye"

Mr. Ritter. "Aye"


Fiscal Officer


President