

Minutes of _____

REGULAR

Meeting

DARBETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held _____

April 10, 2007

OPENING OF MEETING

Mr. Fiedeldey called the meeting to order at 6:02 PM with Mr. Corman, Mr. Fiedeldey, Mr. Ritter, and Mrs. Harlow in attendance.

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing matters related to the employment and compensation of public employees, and pending and eminent litigation.

At 6:03 PM, Mr. Corman made a motion to enter executive session and Mr. Ritter offered the second. No discussion and the roll was called:

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

Mr. Fiedeldey reconvened the meeting at 7:19PM. Mr. Reuter said no decisions were made in executive session.

INVOCATION

Fr. Tim Kallaher of St. John the Baptist on Dry Ridge Road offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

APPROVAL OF MINUTES

The Board requested to wait until the next meeting.

PRESENTATION**Eagle Scout Award**

Mr. Ritter said he has the privilege of honoring David Weickert from Boy Scout Troop 641 at St. John the Baptist Church in recognition of earning the Eagle Scout. Mr. Weickert renovated a preschool classroom for St. John the Baptist School. The Board recognized him with a plaque in honor of his outstanding leadership qualities and dedication.

SHERIFF'S REPORT

Lt. Schoonover said that he had no report.

TRUSTEE REPORTS**MR. RITTER**

Mr. Ritter recognized Frank Birkenhauer who was nominated by the American Society of Public Administrators as Individual Contributor of the Year.

Mr. Ritter said that as the Trustee liaison to the Summer Events Committee, he would like to make a motion provide an allotment of \$32,000 for this year's events. Mr. Fiedeldey asked about the costs and Mr. Ritter said that they will cut costs where possible, but this is a reasonable amount. Mr. Ritter said a formal budget has been prepared. Mr. Corman offered the second. Mr. Fiedeldey confirmed that the staff salary is separate. The roll was called:

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

MR. CORMAN

Mr. Corman said that a committee has been established to honor an employee who has given his whole life for this community, Greg Snyder. He has gone up to and beyond the call of duty to provide a good quality of life in the community. This even goes back several generations as his grandfather was a trustee and his father established the fire department. Because of health misfortunes, he may have to terminate his employment with us before any of us would like. The committee is raising money for a monument to honor Greg Snyder. In you are interested, Contact Tawanna Wilson with the Parks Department or Dan Meloy with the Police Department. Bricks are \$100 or \$250. Mr. Corman said the response is already unbelievable. He said this had to be done stealthy and Greg accepted this reluctantly. He said the committee would like to place monument at Heritage Park, the last major project Greg is doing. They have suggested the middle area of the entrance way to the ball fields. This is a location of honor to an honorable individual. Mr. Corman said the committee doesn't yet know how big this would be because need to know how much money they will have. The have already received more than they expected.

Mr. Corman placed this in the form of a motion. Mr. Ritter seconded.

Mr. Fiedeldey confirmed that it would be at Heritage Park. Ms. Wilson described the area and why it was chosen -- it is visible and out of the flooding area. Ms. Wilson said the monument is on-order, with an expected arrival date of mid to late May. She said the size of the monument and area will depend on the number of bricks. Depending on the response, a tree and bench may be installed.

Mr. Fiedeldey said he supports the idea, but would like to know where it would go.

Mr. Corman suggested they vote on the general area.

The roll was called:

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

Mr. Corman expressed his gratitude to Senator Patricia Clancy for procuring funding in the budget for the preemption system on Colerain Ave. This was a major accomplishment for the safety of our community.

MR. FIEDELDEY

Mr. Fiedeldey said he read in the Ohio Township Association newsletter about an Ohio House bill dealing with mining operations. Mr. Reuter said he would look at this for the next meeting.

Mr. Fiedeldey said that Mr. Birkenhauer is very busy e-mailing Board with what other communities are doing with streetscape, etc. He said we have worked on the intersection of Springdale and Colerain, but have so much more as far as Colerain Ave. goes. He said there is a lot of competition among communities to see who can make theirs look the best. He would like to propose the Board goes out together on a weekend morning looks at Colerain Ave and see what we can or should do. Then, we should hire and planner to draw it up. Mr. Birkenhauer

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makes it a point that we might be at a disadvantage. He said that we could get some ideas and discussion. If we decide to do something, the business owners must buy into this as well.

Mr. Ritter said the time would be better spent by hiring an expert who would have artist renderings. He does support that we should work cooperatively with business owners to get their buy-in.

Mr. Corman said that he agrees with Mr. Ritter. He has been a strong proponent of making Colerain Township be the leader in the parade of communities. He said we need to establish a competitive edge and need the leadership and economic progressivism to do this. He said it is very commendable to want to do this and welcomes Mr. Fiedeldey in joining them in the concepts. We could put together ideas, but we should hire a professional to come up with a plan with 2-3 levels of cost. He said this also goes to the re-development of the area as there are some areas we'd like to see re-developed.

Mr. Fiedeldey agrees with the idea of hiring a designer, but thinks we need to give them some input or direction. We also must discuss a budget.

Mr. Corman suggested the Board members do this independently. He suggested the Mr. Birkenhauer would be a good resource for this as well.

Mr. Fiedeldey suggested the landscape advisory board meet and give the Board their thoughts. The other board members agreed. Dr. Roschke said they might be hesitant to give us their ideas. Mr. Fiedeldey said that the Board is seeking concepts.

Mr. Corman suggested that we move in this quickly so that the competition doesn't run away with it.

CITIZEN ADDRESS

Pat and Earl Waldman of 10334 Cheltenham approached the Board about the 27" motor home, which they have had for the last 8 years. The motor home was recently towed from the street. Mr. Quinn had worked with them on this and they were told it was permitted to park the vehicle on the street if they moved it every 48 hours. On March 30, the motor home was gone and they discovered it was towed. They try to stay in the guideline and don't know what to do. They would like to get an exemption to the rule. Their driveway is a hill. A neighbor on Ambassador has complained about this, but there are other motor homes on the street. No one alerted them that it was going to be towed.

Mr. Corman asked Chief Sarver for more detail on this matter. Chief Sarver said was suggested to them 4-5 years ago that they request a Zoning Code variance. It is moved 6" every 48 hours, which is circumventing the law. The Police Department has had numerous conversations with about this and tried to work with them because of their disabilities. They do not want to move it to a different location. At this time, it was in the same location for three days before it was towed.

Mr. Waldman said that he can't afford the storage off-site. It's only one person complaining.

Mr. Fiedeldey asked how often the motor home is used. Mrs. Waldman said they haven't used it this year, but have used it every weekend in the past.

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Their son approached the Board and said that they are not trying to circumvent the law, but they are trying to stay within the limits of the law. He said they are looking for a zoning exception to park it in the driveway. Because of their disabilities, it would help them to have access to the motor home. He said that only one person is complaining and this person complains about everything

Mr. Reuter said that the only way this Board could grant relief would be to change the Zoning Resolution, which would be across the board. He suggested they go to the BZA and make a presentation there.

Mr. Waldman said his driveway is hilly and thought it would be safer on the street.

Mr. Fiedeldey said that the Board must worry about setting precedence.

Dr. Roschke said the fees would be \$300-400 to get a variance. A variance or change to the code would not be done tonight. She would like the citizens to debate this issue.

Mr. Ritter said that the BZA is the best option. He said there are merits for a variance for recreational vehicles in the summer months

Mr. Corman said it should go before the BZA

Mr. Fiedeldey suggested they park in the driveway, not on the street as this is violation of the zoning code. He suggested they go to the BZA or they can be cited again.

Mrs. Waldman said they can't afford this and hopes they go after the other motor homes on the streets.

Mr. Fiedeldey said we must enforce the Zoning Code when a violation is seen

Dorothy Lewis approached the Board on the behalf of Vi Daniels. She wished to report that the commissioners tabled the Blue Rock Road project. The Commissioners want Colerain Township to involve themselves in these types of situations in the future. She thanked the Board for the help they did provide. She reported that Mr. Hubbard said in the future, they plan to contact the public before completing plans. Engineers suggested that we work with State Representatives to change the Ohio code to be able to get a traffic light a Livingston and Blue Rock Road. 2011 is next time for this project Ms Daniels wished to thank Mr. Fiedeldey for this help with the curve.

UNFINISHED BUSINESS

ZONING

Journalization of Resolutions for:

- ZA2006-06 Circle Storage- Major Amendment
- ZA2006-07 Colerain Health Care Campus & Villas
- ZA2006-08 JB Byrider

Mr. Reuter asked that the board consider these at the next meeting. Mr. Corman asked if they are time sensitive. They are not.

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LEGAL**Boat**

Mr. Reuter said that Dennis Mason contacted one of the sons of the late Mr. Pickens, who did not respond. Mr. Reuter said he contacted attorney for the estate and learned that Mrs. Pickens is in assisted living. She has been contacted. Mr. Reuter said that his advice to the Board is to start the process to deal with this as a nuisance. He said the process can be stopped at any time if the family removes the boat.

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

Mr. Reuter said a resolution would be brought to the Board at the next meeting.

The roll was called:

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

ADMINISTRATION**MSD Property Update**

Mr. Foglesong said he has contact the County's land manager in regard to the possible donation of the old MSD property at 4001 Springdale Road. The County does not want to incur any cost associated from the transfer. There are at least two known issues that need to be taken care of prior to any consideration of transfer. The County does not believe they have the Registered Land Certificate or property deed. The second issue deals with an environmental issue: there was an underground fuel storage tank in the late 80s. The tank and contaminated soil were removed, but there are no records or formal documentation from BUSTER that the site is "clean."

Mr. Foglesong said Mr. Reuter will check to see if we can get the registered land document and see if it's a clean site. Mr. Reuter said that checking for the certificate is not laborious.

Mr. Fiedeldey said that the tank has been removed and asked, what else must be done. Mr. Reuter said the Board would want to be sure the land is clean; if there was leakage into the water table and we own the property, it would come back to us.

Mr. Corman suggested getting EPA testing before transfer of the property.

Mr. Fiedeldey said we should follow-up with BUSTER.

NEW BUSINESS**FIRE DEPARTMENT****Turnout Gear Purchase**

Chief Smith said he will be coming to the Board in the future with a request to purchase replacement turnout gear, which could total about \$130,000. He said their request for a grant was unsuccessful, but the gear is still necessary. One set – a coat and pants – can cost up to \$3,700. On the state bid, the cost is likely to be \$1,600 for each set. The Department needs about 170 sets. There are funds in the appropriations for this.

Bay Exhaust System

Chief Smith said that he will be providing the Board with preliminary information on the need to install exhaust systems in two fire stations for the removal of

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airborne diesel fumes and other contaminants that are potentially harmful to our personnel and that permeate into the living quarters. He said three of the five fire stations have the systems, but two do not – headquarters and Dunlap. The Department is applying for grants, but the cost is expected to be \$35-40,000 for headquarters and a bit less for Dunlap. Chief Smith briefly discussed the types of systems.

Mr. Corman asked about the EPA requirements once the exhaust is outside. Chief Smith said the exhaust is not a problem outdoors.

Mr. Fiedeldey said he is astounded that good exhaust fans wouldn't take care of this.

POLICE DEPARTMENT

Donation Acceptance

Chief Sarver said our undercover unit officers have been using a Dodge Intrepid that was seized over a year ago and that particular vehicle has already become well known throughout the community as an undercover police vehicle. Mr. Rosen of Joseph Toyota has offered to give us a roadworthy used vehicle that would be appropriate for our needs. The value of the vehicle would be \$2500-3000.

Chief Sarver said that because vehicles used for this purpose generally become "known" as undercover vehicles after a very short time, Mr. Rosen has offered to exchange the donated vehicle within 30-45 days for another vehicle of similar value/condition and to continue that pattern until our undercover officers are able to seize enough vehicles through drug-related arrests.

Mr. Ritter asked that Chief Sarver prepare a thank-you note for the Board's signature.

Mr. Ritter asked about our insurance coverage. Chief Sarver said our insurance carrier has been contacted and the donated vehicle will become a part of our insured fleet. However, we will not incur any additional insurance premium costs unless the vehicle is still in our possession on January 1, 2008. This is very doubtful as we should have seized a couple drug vehicles by then. The seized vehicles will be used for three to four months and then sent to auction for sale.

Mr. Corman asked about acquiring the vehicles and the process for rolling over to a new vehicle. Chief Sarver said that when the vehicle is "known," they will trade it in for a different vehicle. They expect to do this two times as there are three vehicles the Department is in the process of seizing.

Mr. Corman made such motion to accept the donation and Mr. Ritter offered the second. The roll was called:

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

SERVICES

Seasonal Hire

Mr. Foglesong requested the Board hire the following part-time employees, effective April 11, 2007:

Maintenance:

Employee	Position	Requested Rate
Paul Koch	Part-time/Seasonal, 5 th	\$10.06

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	year	
Steven Dilbert	Part-time/Seasonal, 2 nd year	\$9 20
Jared Foglesong	Part-time/Seasonal, 2 nd year	\$9 20
Kenneth Sutthoff	Part-time/Seasonal, 1 st year	\$8 93
Greg Saylor	Part-time/Seasonal, 1 st year	\$8 93

Summer Program:

Employee	Position	Requested Rate
Krista Thiel	Director, 9 th year	\$12.08
Greg Insko	Co-Director, 9 th year	\$10.64
Sara Kilgore	Counselor, 3 rd year	\$8.90
Alex Meyer	Counselor, 3 rd year	\$8.90
Kelsey Barge	Counselor, 3 rd year	\$8.90
Zach Barge	Counselor, 3 rd year	\$8.90
Grant Foglesong	Counselor, 3 rd year	\$8.90

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

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

Donation in Honor of Earth Day

In honor of Earth Day, Half Price Books on Colerain Avenue will be donating two Eastern Red Bud trees to our Department. They have offered to assist in planting them as well. Planting is tentatively scheduled to take place either April 20th or April 23rd, depending on the weather. We plan to plant one at Dravo Park near the portable restrooms so that it will eventually shade them, and we will plant the other at Colerain Park to replace a Crab Apple tree that died last year. The donation is valued at \$150.00.

Mr. Corman made such motion to accept the donation and Mr. Ritter offered the second. The roll was called:

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

Mr. Fiedeldey asked about the fence around the playground area at Dravo Park. Mr. Foglesong said it is split rail with a mesh fencing backing.

ZONING**Nuisance Abatement Resolution**

Dr. Roschke said she will perform interviews for the part-time inspector later this week. She said they received about 20 resumes and most seem qualified.

Dr. Roschke read resolution 15-07, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

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

FISCAL OFFICER REPORT

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

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

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

The Fiscal Officer has recorded the following receipts:

REC	VENDOR	FOR	AMOUNT
140-2007	Zoning Department	Certificates	2,250.48
141-2007	Public Works Dept.	Snow Removal	1,909.08
142-2007	Parks & Services	Summer Program, Refund, Shelters	590.14
143-2007	Parks & Services	Paper Recycling Bins	17.64
144-2007	Colerain	Twp Garnish, Health Ins	35,555.57
145-2007	Police Department	Court Reimbursement	30.00
146-2007	Parks and Services	Revenue Adjustment	390.00
147-2007	Fire & EMS Department	Plan Review Fees	1,275.00
148-2007	Dusty Rhodes	Local Hgwy, 2006 BMV	3,791.78
149-2007	Dusty Rhodes	SIF March, Rev Assist	57,630.66
150-2007	Dusty Rhodes	Gas Tax, Estate Tax	137,365.88
151-2007	Council on Aging	COA January	8,802.64
152-2007	STAR Ohio	Investment Interest	10,531.15
153-2007	Fifth Third Bank	Investment Interest	38,456.21
154-2007	Fifth Third Bank	Investment Interest	20,739.59
155-2007	Sr. & Community Center	Fees, Don, Lunch	327.00
156-2007	Police Department	Copies - Unger/Meloy	6.00
157-2007	Fire & EMS Department	Inspect. & Plan Review	180.00
158-2007	M. Walsh	Postage	0.39
159-2007	Police Department	DUI Salaries, Court Re	436.79
160-2007	Fire & EMS Department	Rent, Comm, Cell, Rep. Plates, Don, Tower	6,269.25
161-2007	Fire & EMS Department	EMS Billing	6,429.52
162-2007	Police Department	Court Reimbursement	30.00
163-2007	Parks & Services	Shelters	65.00
164-2007	Police Department	Reports	6.65
165-2007	Fire & EMS Department	Plan Review & Foster	90.00
166-2007	Parks & Services	Ball Field, Amphitheater	265.00
167-2007	Sr. & Community Center	Crafts, Fees, Don, Rent	155.50
168-2007	Police Department	State Park & Juv. Fines	427.00
169-2007	Zoning Department	Certificates	1,048.00
170-2007	Public Works Depart.	Snow Removal	4,249.92
171-2007	Police Department	Court Reim, DUI & Drug	647.00
172-2007	BWC	BWC Premium Refund	7,468.80

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Mrs. Harlow requested the Board approve an appropriation adjustment of for the Fire Department, in the amount of \$16,000, out of 2111-220-360-0000 (contracted services) and adjust to 2111-220-323-1003 (communications repairs). Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

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

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing matters related to the acquisition of property and pending and eminent litigation.

At 8:52 PM, Mr. Corman made a motion to enter executive session and Mr. Ritter offered the second. No discussion and the roll was called:

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

At 10:15PM, the Board reconvened. Mr. Fiedeldey asked Mr. Reuter for a report from Executive Session.

Mr. Reuter indicated that, in executive session, the Board discussed matters relating to the property at 9775 E. Miami River Road, owned by Truman Services, LLC, including complaints received by the Zoning Department that the property was being occupied even though there is no occupancy permit, and used in apparent violation of the Zoning Resolution. Mr. Reuter asked that the Board authorize the filing of an action for injunctive relief against the owner of the property, if, in Mr. Reuter's opinion, proof of the violations could be established by clear and convincing evidence, that the action would likely be successful, and that the apparent violations could not be halted without litigation. Mr. Corman made such a motion, and Mr. Ritter offered the second. No discussion and the roll was called:

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

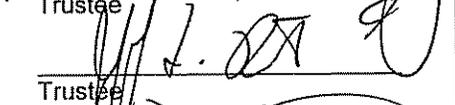
ADJOURNMENT

With no further business to come before the Board, at 10:17 PM, Mr. Corman motioned for adjournment. Mr. Ritter offered a second.

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


Fiscal Officer


Trustee


Trustee


Trustee