

REGULAR

November 13, 2007

OPENING OF MEETING

Mr. Fiedeldey called the meeting to order at 6:00 PM with Mr. Corman, Mr. Fiedeldey, Mr. Ritter, and Mrs. Harlow in attendance.

EXECUTIVE SESSION

Mr. Foglesong requested the Board enter Executive Session for the purpose of discussing the compensation and benefits of public employees.

At 6:02 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. Corman made a motion to invite Trustee-elect Joe Wolterman to 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 7:00 PM. Mr. Foglesong said no decisions or actions were made in executive session.

INVOCATION

Mrs. Harlow offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

APPROVAL OF MINUTES

Waived to next month.

PRESENTATION

GSL Monastery

Julie Gifford of 3046 Pavlova Drive is the secretary of the Board. She introduced two of the monks at the Gaden Samdrupling (GSL) Buddhist Monastery, Venerable Geshe Kuten Lama and Venerable Jamyang Lama.

REGULAR

November 13, 2007

Ms. Gifford said they are not involved in any conversion effort. Tibetan Buddhism is a peaceful approach to the world. Their mission is to make the teachings available to others and the GSL Monastery is a place to preserve their culture.

Kuten Lama, through Jamyang Lama as his interpreter, spoke to the Board about the monastery and their culture. They hope to be an active part of our community. They then presented the Board with white scarves, a traditional "welcome" gift.

Mr. Corman thanked them and welcomed them. Mr. Ritter welcomed them to Colerain Township.

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office and Lt. Meloy of the Colerain Township Police Department said they have will have the reports at the next meeting.

NOTE FROM THE FISCAL OFFICER: The following sections, at the request of the Board, are a transcription, not minutes.

TRUSTEE REPORTS

MR. RITTER

Thank you. I debated whether to tee this up now or wait until we get to the Clippard Park Master Plan, but I wanted to kind of throw this out there and plant the seed in the trustees head to see what their reaction is. As many of you know I have three young children and on the weekends, especially in the summer we do a lot of traveling out to the various parks in and outside of Colerain Township. It occurred to me a couple of ideas for improving our parks and investing in capital assets that are going to last a long time. Two things: first is a skate park and the second is kind of a sprinkler park called a water playground like they have at Winton Woods and Miami Whitewater. I think these might be two great additions to our park system and would give us a niche that we don't already have. In the case of Clippard Park, I think a park that everybody would agree needs reinvigorating, the addition of a say a skate park there would be a great shot in the arm, would be a reason to go there, and utilize it a lot more. So, honestly, I am teeing this up for the first time and I didn't mean to sandbag you, Mr. Schwartzhoff, I probably should have called you today. But I just wanted to plant the see more than anything and as we get into discussion of the Master Plan this evening, maybe we can talk about taking the next steps to see what the cost estimates are and how tough or easy it would be to integrate it into the

REGULAR

November 13, 2007

existing Plan and also which one of our other parks would be a candidate to have whatever thing we don't adopt at Clippard. It's just an idea and I just wanted to throw it out there for the Trustees' consumption and see where it goes. And also, I noticed Ms. Pratt from Rumpke here tonight and I wanted to congratulate Rumpke for being named to the Cincinnati 100 again this year – the only business in Colerain Township named to that list. So we welcome you. That's all I have tonight.

MR. CORMAN

Just a couple of matters. First of all I would like to recognize that, of course yesterday was the Monday after, but of course, as everyone here knows, particularly those that have served our country in foreign wars, this past Sunday was Veterans' Day which used to be called Armistice Day, ---and long before I was born, --but to commemorate the closing of the great war in 1918. But since then, of course, we have had many other battles and needs to be able to preserve our democratic freedoms and to help those that are under submission of totalitarian governments elsewhere in this world. And I would just like to express my gratitude and thanks for those who have served to make it possible that for example, just this evening we are gathered here together for the true sense of democratic freedoms and to be able to exercise those rights due to the sacrifices that these people have made. And again I say thank you for that.

The other thing is just a matter of clarification. The *Cincinnati Enquirer* on Saturday November 3 of this year printed an article about the proposals about the "Township's Gateway Leaves Trustees Unwowed," goes on to quote throughout here that without notification to the other trustees about the TIF agreement and things of that nature. I just want to point out that personally I think that we do have a pretty big wow with what was planned and presented. We've had two different submissions. One was the original concept that was submitted by the planner for the Northgate properties which is Feldman. The other one is one that by agreement we contracted a firm to come up with a concept and all too. The main thing of this is to make sure that the people understand that especially in a township type of government where there is three elected officials that make the administrative decisions that that's the way it is-- it comes down to the three-member panel of township trustees. Just for clarification here. It really upset me at the beginning when I read this to think that the paper would put out something that would make it sound like it was one individual's dictates, but I can assure you that isn't the case. So I've talked to the reporter, and we always had I felt, a good relationship, and there should be, hopefully an article where we can sit down and really get down to put some more bone into this and have it done better. I understand there have been some negative repercussions as a result of it and that's something we don't need in our

REGULAR

November 13, 2007

township that going to stop any progress in moving forward here with our community. So that's that. That's my report.

MR. FIEDELDEY

I am going to comment on what Mr. Corman said. Reporter called me and asked me my opinion and I gave it to him. And I believe I am entitled to that.

Here a couple of weeks ago in a joint effort between the Hamilton County Environmental Services, the Hamilton County Health Department, (cough – unintelligible)____at the landfill, and David and myself, we sat down to try to come up with a way of getting this dealing with odor complaints from the landfill addressed in a timely manner. In the past quite often there'd be odors from the landfill, somebody would call, and it might be one or two or three days before anyone could actually respond there --especially if it was in the evening or on the weekend, etc. I believe that we are very close to implementing a plan, if you will.

David, you're probably more involved in this than I am, do you want to take it from here, if you don't mind.

Mr. Foglesong: Well, yes sir, the committee that Mr. Fiedeldey mentioned set the idea to resolve the odor complaint. The Health Department and Environmental Services and representatives from Rumpke got together and developed a draft notification and follow-up plan that they have presented to me and the Board of Trustees in a draft form that basically establishes a 24-hour, 7 day a week complaint process. In the past if the Health Department Offices were not open-- which are anytime after 4 p.m. and before 7:30 a.m. Monday through Fridays, then the complaint usually went unheard or unresolved. The Hamilton County Environmental Services Department which monitors air quality other than odor complaints from the landfill has a hotline that runs 24/7. And by the meeting of the parties, there is an agreement now to establish a process that, in the event that the Health Department is not open, the Environmental Services hotline will take the complaint, forward the complaint to Rumpke, Rumpke will do a follow-up investigation, and also the information that is sent to Rumpke is also sent to the Health Department for follow-up. And there is a multi-stage process that the investigation is done, hopefully, I think it was established, it is within a half hour of the complaint being filed. In the past, like Mr. Fiedeldey said, it could be as long as days. And after that complaint is filed, the follow-up is done, remediation should take place, or at least an observation to determine what the cause of the odor was, and hopefully one of the boxes in the complaint form is what corrective measures were taken. Those are then supposed to be reported back to the Health Department and the Health Department on a quarterly basis, when I think it may be more on a monthly basis, is supposed to report back to the township all the complaints that were filed and how they were handled. That's what's on the

REGULAR

November 13, 2007

table. The Health Department had initially wanted to go out on the first of November, but we wanted it opened it up to citizen input the best we could within the time frame. I made contact with Mrs. Lindemood who graciously responded in a timely manner with her concerns; I forwarded them onto the Board and also to the Health Department. Her concerns were kind of shared by ours is that it looks like the fox is watching the hen house, but at the same time there is a process for follow-up and there's an agreement, at least an unofficial agreement, that this will be just a test program, run for 4 to 6 months, and during that time all the complaints will be filed, remediation will happen, if we are not satisfied we'll go back to the drawing board to come up with a new plan. Word is now that the Health Department and the Department of Environmental Services of Hamilton County would like the Board of Trustees to at least acknowledge the draft plan and allow it to go forward under the test processes. So that's what was going to be under my report to see if the Board is inclined to just, I guess, bless the plan as submitted with the understanding that it is a test and will be reviewed for changes in the process, but more importantly in 4 to 6 months.

Mr. Fiedeldey: If I recall right, Mr. Foglesong, during our meeting, the folks from Environmental Services indicated that they had done things like this in the past and they had indicated that every month they would have a meeting with the residents to see how things were working and to get their input, if there was tweaking that needed to be done. And that was my understanding that it would be a dynamic, ever evolving possibly procedure that we would follow. I would like to make sure that's going to happen and not in 4 month or 6 months, but, and maybe through the winter we may not have as much problems as we had, but at least we can try to monitor the darn thing. It's been a problem in the past. I like to think that we have a landfill and folks from the EPA-- so what you expect, garbage is going to smell. I'm not convinced of that personally, I think you can control those odors. We can put people on the moon we can surely control landfill odors. But, I would like to at least make something that the first part of January--get past the holiday we'll get the thing in place; maybe in the middle of January start with public our meetings. That's my opinion. Your opinion?

Mr. Ritter: I concur.

Mr. Fiedeldey: So any way, then we go from there maybe every month or every 6 weeks to see where we are at and make sure that we are making some strides, that we can control this. Are we interested this evening, this is merely a question on any public input on this, or are we satisfied Mrs. Lindemood she's been very active, are we satisfied that we'll use this as a test and then we'll open it up the middle of January?

REGULAR

November 13, 2007

Mr. Ritter: that works for me

Mr. Fiedeldey: I think we need to get the thing implemented, it's my own opinion and we can always follow up. We've had these odors for I don't know how many years so another month isn't going to kill us, I guess.

Mr. Foglesong: I think it's a good idea. I think with that information, go ahead and get the program started. We'd like to have the opportunity in mid-January to have our first review which will include citizen input, and it could be a separate meeting or in conjunction with a trustee meeting, but I don't want (unintelligible).

Mr. Fiedeldey: I understand.

Mr. Foglesong: Is that what I heard you to say that we should let it go forward with the understanding that we will have a review in mid-January and not wait four to six months? With that caveat, we'll let the plan go forward.

Mr. Fiedeldey: Correct. So, you just going to cut it loose? We don't need any action on it?

Mr. Foglesong: I think by the discussion, the record will reflect what the discussion was. I don't know that it needs a formal motion on it. I think I would like to have it open ended with the understanding that we will review it in mid-January.

Mr. Fiedeldey: Okay. I guess it's been a month ago; there was a little old 80-year old frail lady who came before the board. Her house has been getting shook with the blasting from the landfill for quite some time. We have had meetings with owners of the landfill previously, and it was always that they were within some kind of –underneath the threshold of what was blasting, but it was still shaking peoples' homes. And, so folks from the landfill said tighten things up on your mantel so things don't fall off, etc. Anyway, when this little old lady came before us a month ago, she didn't demand anything from us. She didn't pound a fist – she could barely stand actually. She pleaded with this Board to do something. Her husband built the house 50 some years ago, a little brick house right up the street here, and I got real upset over that. I looked at her --that's my mother, or your mother, or it could be you in the future or me in the future going before your elected officials and pleading to do something. I'm doing pretty good tonight talking about that because it was over a week before I could talk about it without choking up. After I got beyond that, I got upset. And I said to Mr. Reuter, they're a nuisance and sue the SOBs. We could sign a bill? But I did say that, it wasn't the best choice of words, but you had to be here. And I guess what I'll

REGULAR

November 13, 2007

say to that is that when somebody like that comes before the Board and you if don't have any feelings for them, anybody who sits up here if we don't have feelings for them, we don't need to be here. I'll tell you that. Because it might be within some threshold from the landfill as far as they're allowed to do this or that, but that person is guaranteed the pursuit of peace and happiness and the protection of property in the Constitution. And the day that we, we elected officials ignore that, we don't need to be here. I can tell you that one. And I had asked Mr. Reuter to look into that and I am very serious about it. It's either a violation of consent decree that others signed before me or they are a nuisance. And I believe that people are guaranteed under the Constitution the pursuit of peace and happiness, and Mr. Reuter has been looking into it; he's not yet finished with his findings, I guess, but I will tell you this, it's something that can be corrected. Because in the past, when we met with folks from the landfill, they had indicated they blast because it is cheaper. Now I've see mass excavations-- I'm in the construction business--I've seen mass excavations all over through this county and nowhere else do they blast. They dig it out with machinery and it doesn't bother anybody. This can be fixed. It's about the money and sometimes the cost of doing business. I can tell you that because I am in business. Sometimes regulations cost you money. But it will not put them out of business, that's for sure, nobody's attempting to do that. The only thing we're trying to do, or at least hat I am trying to do, is to say look, we all need to co-exist, and other people have rights too. That's the end of my report.

CITIZEN ADDRESS

Mr. Fiedeldey: Did anyone sign in? Did you sign in? Please come up here and state your name, if you would, and your address.

My name is Gregg Freeland, I live at 3650 Yellowstone Drive I have two issues to address the Board with this evening. Issue #1: I live at 3650 Yellowstone Drive which is adjacent to Stonecreek, the new project business community up there. My property is adjacent to two business zones now to the east and the north. I emailed Susan Roschke about dumpster noise on October 3rd. At 3:59 a.m. slamming dumpsters right behind my residence, waking me up right away. She replied and said it would be taken care of. Evidently it has not, I've woken up probably a half dozen times since then, including this morning at 5:30 a.m.

Mr. Fiedeldey: Could I stop you a minute , if you don't mind? Somebody said that Amanda Pratt is here? Would you come up here and give us a little update on that maybe -- why that's occurring? I need to have you talk into the mike, please. (Could hear nothing from that person)

REGULAR

November 13, 2007

Fiedeldey: And I believe that when we approved that it's from 7 a.m. to 7 p.m.—the pick up time? 7:00 a.m. to 7:00 p.m.? Is that correct?

Dr. Roschke: Yeah. I had spoken to Jeff Rumpke a couple of times, every time I had heard from Mr. Freeland and he has said he would talk to supervisors and get it taken care of.

Mr. Fiedeldey: Okay. So, obviously that isn't occurring, so is there a way that maybe you can take the message back that we expect you all to abide by the rules?

Amanda Pratt: Absolutely. I will look into it. I'm sure that we are not trying on purposes to (unintelligible) and I apologize for the inconvenience.

Homeowner response: unintelligible.

Mr. Fiedeldey: I understand that you have a good size company, but I'm sure it's not that big. Susan, excuse me, Susan, call Jeff. What is his title?

Dr. Roschke: Jeff is a Vice President.

Mr. Fiedeldey: I am sure if he sends down a mandate to correct that, it would be corrected, but it's not. Could we ask him to maybe try and do that?

Dr. Roschke: I assure you I will get it taken care of it.

Mr. Fiedeldey: Thank you so much

Mr. Freeland: Good thing she was here. Issue #2 would be the fence we are seeking on Yellowstone Drive.

Fiedeldey: Say that again.

Mr. Freeland: A fence we are seeking along our properties on Yellowstone Drive. There's like 20 residences. I emailed Susan Roschke and asked her what the latest development was because when I left here the last time I was here, a meeting about two meetings ago you said you would look into it. I've heard nothing. I had numerous emails to Mr. Ritter and Mr. Fiedeldey and I got no answers so am I getting the runaround here or what?

Mr. Fiedeldey: No, to my knowledge that, when you were here several months ago, which was really after the project had started and everybody had agreed to

REGULAR

November 13, 2007

something, when Bill Zanoni was here – he's the guy from Trinity, what he requested was that everybody be on the same page.

Mr. Freeland: Correct.

Mr. Fiedeldey: And to my knowledge, the ball went back into your court. To get 100% unanimous that's what everybody wanted – not 98%, but 100%.

Mr. Freeland: I have a document from Susan Roschke says she passed along the results of our conversation with our neighbors about the fence to the Trustees. So she says she passed the results onto you.

Mr. Fiedeldey: But it wasn't a 100%.

Mr. Freeland: It says everyone was in agreement, except one person expressed concern about the loss of trees. My understanding was everyone agreed they would support your request. You might want to follow up with the Board of Trustees. So I'm here tonight to follow up.

Dr. Roschke: Yeah, that's what I sent them. We had one person who said she just didn't want to lose trees on her property, but she did want a fence.

Mr. Freeland: Okay so that's unanimous then.

Mr. Fiedeldey: Well not really. Either a fence goes around the trees or she loses a tree.

Mr. Freeland: They're not her trees, they're Stonecreek's trees. Not her trees.

Mr. Fiedeldey: Oh

Dr. Roschke: I don't know. I don't know where the line is.

Mr. Freeland: The fence will not be on our properties. That's why it should not take a unanimous vote; it's on Stonecreek's property.

Fiedeldey: Okay.

Mr. Cormen: It needs to be a foot in from Stonecreek's property. Is that correct, Dr. Roschke?

Dr. Roschke: I don't know. I don't think that's been determined.

REGULAR

November 13, 2007

Mr. Corman: Doesn't it have to be better than a foot off the property line or even six inches off the property line. The way I understand the way normal fencing rules or laws are.

Dr. Roschke: Yes

Keith: If it can't be agreed upon by the property owners.

Mr. Ritter: First of all Mr. Freeland, I acknowledge I've handled your email poorly and I'm accountable for that. I apologize. I did talk to Mr. Birkenhauer about it; he has a relationship with Trinity that is a lot closer and I knew he had to talk to them about a couple of other matters. And Mr. Mark Smith did give us a response and his opinion, and it didn't get relayed to you. But anyway. And that response was that he is willing to put up a fence as long as it was on the property line. And his understanding was that you guys didn't want to have to take any trees out; pardon the expression – you wanted your cake and eat it too; you wanted the trees and you wanted the fence. And his position is that it's got to be on the property line and if it's not, it's not going to happen for him. I'm just telling you what he said.

Mr. Freeland: Okay.

Mr. Ritter: And so,

Mr. Freeland: Those are his trees, they're not our trees. So he makes that call.

Mr. Ritter: So you're okay with the fence being exactly on the property line?

Freeland Sure, as long as we get a fence to protect our neighborhood. It's been a few months and I had to come back to find out what's going on. I'm looking for answers.

Fiedeldey: Let me ask you this: has there been any fence put up at all? I mean privacy fence?

Freeland Not to my knowledge; there is a chain link fence about ten properties down.

Fiedeldey: That's probably where it's real steep?

Freeland That's where the wall went up.

REGULAR

November 13, 2007

Fiedeldey: Yeah, that isn't that. Dr. Roschke can you follow up with this? First of all, are we satisfied that this is what the property owners want, all of them? First of all, that's that. Second thing would be did they or did they not, plant a bunch of trees up through there as the buffering already, with understanding that there wouldn't be a fence? I saw something come through from Landscape Advisory Board that they were trying to space trees.

Roschke: That's in the area of the wall.

Fiedeldey: That's in the area of the wall which is still on Stonecreek's property.

Dr. Roschke: Right, but the fence they're requesting would start where that planting ends. It would not be the same area.

Mr. Fiedeldey: So it wouldn't be a duplication.

Dr. Roschke: Right, right.

Mr. Fiedeldey: Would you check with Frank, I guess tomorrow or in the next couple of days to see if we can't get this implemented?

Dr. Roschke: I believe what the developer has said is that if you direct him to do it, he will do it. So if you would like Frank and I to prepare a letter to that effect, I think that be the solution.

Mr. Ritter: With the provision that it is on the property line, I think that will satisfy him.

Mr. Freeland I think that would be the best thing for the whole neighborhood.

Mr. Ritter: Okay, and let's also commit that to getting back to Mr. Freeland by a certain date so we don't have that problem again.

Mr. Freeland: Yes, communication would be great – instead of nothing.

Mr. Fiedeldey: Mr. Foglesong, any comments?

Mr. Foglesong: I just have a question and I don't have a dog in this fight. It's just what Mr. Freeland said about the lady that said she would rather have trees than the fence even though the trees are on Stonecreek's property.

REGULAR

November 13, 2007

Mr. Freeland: You're talking maybe two to three trees.

Mr. Foglesong: I don't know how many trees. The question would be does the lady want those trees not matter whose they are, or does she want the fence. I think that question needs to be resolved for 100% completion.

Mr. Freeland: Why is that her call when it's not her trees?

Mr. Fiedeldey: Because she's one of the people.

Mr. Foglesong: (Unintelligible as speaking at same time as Mr. Fiedeldey) The question is whether she would rather have the fence or the trees regardless of who the trees belong to. I think it is pertinent to the 100%, but it's your call. It did not ring true--100% wanting the fence.

Mr. Fiedeldey: I mean for God's sake, a fence you can jog around a tree, if we have to, you know.

Mr. Foglesong: They're concerned about if they do it on their property and there's a space between their property and the neighbor's property and it's not maintained, how are they going to get control of that. That's the reason it is so critical that they put it right on the property line. That maintenance property owner on one side, they're on the other and no deviation. That's their concern.

Mr. Freeland: He wouldn't be able to give up a couple of feet off of how many thousand feet does he have?

Mr. Foglesong: It's not a matter of giving it up; it's a problem of maintenance.

Mr. Freeland: Well, if a fence was up. He's talking about the property he's worried about.

Mr. Ritter: I got you. Just that property (unintelligible)

Mr. Fiedeldey: You know the other part of it I keep hearing something on the property line, but how would Stonecreek maintain that fence if it's right on the property line? They would have to in theory trespass to finish the one side if they ever had to stain it or repair something. They would be on private property. I would think they would be on private property.

Mr. Freeland: Probably Mr. Corman was correct about the one foot or what did you say?

REGULAR

November 13, 2007

Mr. Corman: If the property owners can't agree, most often it sets back if it's just barely off the property line on the existing property, that doesn't vacate that property to the person that it's being set back away from.

Mr. Freeland: Right, that's the number that I hear also, it's about a foot.

Mr. Corman: The other thing is that then they would do their maintenance which would mean that if somebody wanted to do some monkey business of putting something on that fence, they're in violation and they're actually trespassing if it butts back to their property.

Mr. Freeland: We already have people cutting through our yards right now. We have what one neighbor here tonight who's had people cutting through yards.

Mr. Corman: I'm just saying because that tends to happen and when that happens it fouls the fence. So that gives them, no doubt, the right of maintenance of the fence but also whole ownership of the fence. If it's put on the property line, then maintenance is the responsibility of both property owners.

Mr. Foglesong: That's maintenance of the fence, I'm talking about maintenance of the property. It speaks to the property, if weeds or whatever would grow up in there, they can't get to it. Not the maintenance of the fence. I'm sorry.

Mr. Corman: I know, but that's what I'm saying. I'm just pointing out about the situation of the fence if it's on the property line or not on the property line. What responsibility the property owners in question have for that fence whether it's half and half or if it sets back off on one certain right of way.

Mr. Fiedeldey: If you don't mind, Mr. Reuter, it would seem to me personally that the fence should be off the property line. So it's off of Stonecreek, if they ever need to repair it, stain it, etc. or even cut the weeds down in front of it, they have access. If it's right on the property line it would seem to me to repair the fence or do something, they'd be in theory trespassing if they needed to get on the private property owner's property. I defer to you and would like to have your opinion.

Mr. Reuter: If the fence is on the property line and they have to trespass to go on the adjacent owner's property without permission, it would be trespassing.

Mr. Fiedeldey: Correct.

REGULAR

November 13, 2007

Mr. Reuter: It's a practical problem and I don't know what, you know, the sensible resolution is. But an owner has the right to direct a fence right up against the property line.

Mr. Fiedeldey: I agree with that.

Mr. Reuter: I assume there are could be practical difficulties whichever way you do it. You know, staining the thing every couple of years or mowing it twice a week or once a week, whatever you have to do. I guess that's the owner's call as to where they want to put it--which set of problems would they rather address.

Mr. Fiedeldey: Would it be safe to say since the developer is going to pay for the fence, it's his call?

Mr. Reuter: Yes.

Mr. Freeland: There is multiple developments in the township you can refer to--such as the new Wal-Mart down there has a fence behind it. What happened there? See what happened there. You have Target has a fence with neighbors' residences. See what you did there. You have Lowe's. You have many incidences to check against.

Mr. Fiedeldey: Okay. Can we draft something that it will be on the property line or on Stonecreek property. Allow it to be up to the developers since they are putting the fence up and they have to maintain it. And it's their choice. If we could get this person that he is referring to—she's concerned about the loss of trees – do we know who that is?

Dr. Roschke: I have it. I have the information.

Mr. Fiedeldey: Maybe we could call her. I don't know where the tree. Where is the tree located at the property line that she is concerned about?

Mr. Freeland: You got me. I don't know. It might be one. It might be....

Dr. Roschke: She wasn't sure that there was a tree in danger.

Mr. Fiedeldey: Okay.

Dr. Roschke: I'll call her.

Mr. Fiedeldey: Okay. Let's just go forward. Go ahead.

REGULAR

November 13, 2007

Mr. Ritter: Height, let's get that out in the open. Can you image the fiasco if we put a fence up and it doesn't meet your....

Mr. Freeland: I requested over the past meetings eight feet which is all the other developments have eight feet fences next to residences. Target, Wal-Mart, Lowes, they all have eight foot.

Dr. Roschke: They have requested variances for those eight-foot fences.

Mr. Fiedeldey: Excuse me.

Dr. Roschke: They've asked for variances.

Mr. Fiedeldey: Right. Six foot is what our zoning code says. You know, if it's a board fence, which I'm assuming that's what it would be, a privacy fence. I guess a tall guy like you could reach up the top and drag himself over.

Mr. Ritter: Eight feet-- eight feet for sure. I don't think that's unreasonable at all.

Mr. Fiedeldey: Six feet – there again you're going to have to get a variance to do it then. You know if a developer is willing to do that then....We're okay with it.

Mr. Corman: Yeah, I think that would be ideal. I know a chainlink sure wouldn't solve the problems that they are having.

Mr. Freeland: No. Especially in the winter.

Mr. Ritter: Can we just commit to keep the lines of communication open with Mr. Freeland? If Mark pushes back and says nope, six or nothing. Let's just, you know, reach out to all the residents.

Mr. Freeland: Yes, all of us.

Mr. Ritter: Let's see if six works, and if it doesn't and you want to draw a line in the sand, that's your prerogative.

Mr. Freeland: Correct.

Mr. Ritter: We'll go from there. I personally don't think that eight is that unreasonable.

REGULAR

November 13, 2007

Mr. Freeland: Who will communicate with me? Susan or one of you?

Mr. Fiedeldey: Let's communiante between you and Susan. What do you say?

Mr. Freeland: Okay.

Mr. Ritter: And copy the Trustees? Can we do that?

Mr. Roschke: Okay.

Mr. Ritter: Great

Mr. Fiedeldey: If we say eight and he says six...um

Mr. Freeland Seven?

Mr. Fiedeldey: (Laughter) That doesn't cut well out of any board.

Ritter: One or the other.

Fiedeldey: We're going to attempt to get eight.

Freeland I appreciate that.

Roschke: Okay

Fiedeldey: If the developer says no, are you saying we don't have a deal?

Freeland Will let him know that all the other ones have eight foot in the township?

Fiedeldey: I'm not so sure that's true.

Freeland The larger development such as the new Wal-Mart has eight foot. Target, which is the second latest largest, has eight foot.

Ritter: Fiedeldey's question was, what do we do then. And I say then we go back to the residents and say it's six or nothing, and let you guys make the call. And we go from there.

Freeland Great.

REGULAR

November 13, 2007

Roschke: Okay.

Freeland Thank you.

Fiedeldey: We're going to go and negotiate hard for eight. Just so you know.

Freeland I appreciate that.

Ritter: And when are we committing to get back to Mr. Freeland, time wise?

Freeland As long as I get an answer.

Ritter: Well, I want to get a date.

Dr. Roschke: Well, if you want me to draft something on your behalf and contact Mark Smith with it, would you like to see that first or do you just want me to go ahead and do it?

Mr. Fiedeldey: Do it.

Corman: I think we trust you to go ahead and do it.

Fiedeldey: Yeah, yeah that's fine. I mean it's just real simple, this is what the residents want per our, you know, agreement with Trinity and the Board, and go forward.

Ritter: Make sure you are very specific on the property line too and what we talked about here. That will be an issue with him.

Dr. Roschke: Two weeks?

Mr. Fiedeldey: Excuse me.

Dr. Roschke: Two weeks?

Mr. Fiedeldey: Two weeks?

Dr. Roschke: Jeff asked for a date. Two weeks?

Mr. Corman: Two weeks max – that would be the next meeting. Right after Thanksgiving.

REGULAR

November 13, 2007

Mr. Fiedeldey: Yeah, they should be able to give us something, you know. I'm sure, you know, they're willing to do it – at least they said they were.

Mr. Fiedeldey: Mr. Foglesong? Somebody. What?

Mr. Reuter: The zoning code permits a six foot fence. There's no fence required on this plan. So besides that, the Board approved it, it's done. He has to go before the BZA—the owner does. Everybody's going to have to be notified in order to get a variance for an eight foot fence. The question that we were discussing ever just so briefly among ourselves, in the interest of not causing further delay, if everybody agrees as to what is going to happen, is the fee to take the case before the BZA. Is the Board of Trustees under the circumstances interested in considering a waiver of the fee that Trinity is going to have to file to have the case heard.

Mr. Fiedeldey: I would support waiving that, and I also would expect that the residents on Yellowstone would be there before the BZA, truly supporting this variance. Would that be fair?

Mr. Freeland: Yes. I have a question for Mr. Reuter. I'm not an attorney myself, but the plan that I saw stated something about a fence so you better look at that again. The zoning plans that I saw over the past stated about a fence will be determined. I saw with my own eyes in that office in there. So you might want to take a peek at that again.

Mr. Fiedeldey: But it still would not be, it still would be a fence within the zoning code which would be six foot high. That's the point he's making. You are asking for something that is currently not allowed unless you go before the BZA, state your case, and they approve it. That may deny it.

Mr. Corman: Let's say this so we can cut to the chase. We could be here all night discussing theory and what is and what isn't. Let says this: we're going to go for it and see what we can get and try to make it happen; try to the nth degree to make it happen so that all parties are happy with it and we can move on.

Mr. Freeland: Agree.

Mr. Corman: We can have some privacy with this and no intrusive lighting and such.

Mr. Freeland: Safety, noise.

REGULAR

November 13, 2007

Mr. Corman: Safety, whatever. And the contractor can be satisfied with it and we can move on with it. If it takes something as a variance, then let's do that. It's that simple.

Mr. Fiedeldey: Thank you, Mr. Freeland.

Mr. Freeland Thanks.

Mr. Fiedeldey: Excuse me. Yes we agree, we are going to do our part to get it done.

Mr. Fiedeldey: Dave Sandusky, (unintelligible) please don't be redundant.

Mr. Sandusky: Sorry, I wasn't before and I won't be tonight. I appreciate your letting me speak at the meeting 2 months ago which kind of opened up this whole thing again. I would like to say as far as Trinity and Bill Zanoni they did just right away about within a week they staked with red or orange stakes the property line going all the way down so that we could go out and kind of eyeball if trees would be involved or not. I did go ahead and took some pictures of like some area developments – you can keep these pictures if you want to share them with different people. Obviously that fence is a little taller – again it's hard to tell but I would think that that is at least eight feet.

Mr. Fiedeldey: Where was that taken?

Mr. Sandusky: This actually was in Deerfield Township just to get an idea. Just to get idea of the look of a wood fence in that area. Obviously exactly what Gregg said, security, value, looks, kind of a finished product in their development as far as trim--like in a house. Definitely believe this is the right thing to do as a partnership. As far as pine trees, the way the development kind of finished, the way I understood it, the pine trees or stuff that would grow over time, was supposed to be kind of staggered. It's pretty spacious as far as the pine trees. I don't think they would ever grow to where you wouldn't still be able to look through them. So I just want to get that on the record.

Mr. Fiedeldey: I thought, Susan, they were like 25 or 30 feet apart.

Mr. Sandusky: Well, if you take and look at the fence in some of these area pictures, you see those pine trees? The way they planted their pine trees, it's not at all like that. 'Cause when they grow, they're all going to kind of bunch together, create foliage, go higher so then it totally just –on our side, on

REGULAR

November 13, 2007

Yellowstone's side, you just wouldn't see no lighting, no building, no air conditioning units. So if we could just kind of take a look at that – as far as more pine trees or a finished product. Basically that's all I've got.

Mr. Fiedeldey: To my knowledge, it was one or the other – the fence or the trees.

Mr. Ritter: Right, I got to be honest with you. I know Mr. Freeland isn't going to like me bringing this up, but I think you guys had a pretty sizable buffer until the EPA was sicced on the project and they put that stream in there which now causes standing water and other things. I would be remiss if I didn't bring that up. But I agree with Mr. Fiedeldey – it was one or the other.

Mr. Fiedeldey: That was my understanding. If you put the fence up -- an eight foot fence and you plant trees on the other side of it on their property, how are you doing to get the benefit of the trees?

Mr. Sandusky: I don't want the pine trees to skew this whole issue. But I definitely did speak with Bill Zanoni and he definitely said that they will put a fence, and if everybody agrees and it sounds like we are on that plan.

Mr. Fiedeldey: So we're still focused on the fence?

Mr. Sandusky: Yes. Yes. 100%.

Mr. Fiedeldey: Good plan.

Mr. Sandusky: I'm not sure how the pine trees come into play with the creek as far as how many...

Mr. Fiedeldey: Well, that's on their property so that really shouldn't be any of your concern if they get the fence or the buffer.

Mr. Sandusky: Great. Fair enough.

Mr. Fiedeldey: And the trees will be on their property and will be for the benefit of their development. Hopefully, they'll get a lot higher than the fence, and you'll benefit also. But, the agreement was one or the other – the trees or the fence. And you all agree, as I understand, except for one person who has concerns for the fence. And that the way we're heading. And once we get that accomplished, we will assume we did everything that you requested. Is that correct?

REGULAR

November 13, 2007

Mr. Sandusky: Fantastic. Yes. Could I be copied along with Gregg?

Mr. Fiedeldey: Is there anyone else to speak to the Board? I only had 2 sign up. We're going to move forward. Unfinished business Fire Department – Chief Silvati.

UNFINISHED BUSINESS

FIRE DEPARTMENT

Full-Time Hire

Chief Silvati: Good evening. I believe that Chief Smith over the course of the recent few months has kept the Board informed of the status of the progress of filling a current vacant position for a career fire fighter paramedic. To just summarize this position was created when Chief Bill Zoz resigned earlier this spring and subsequently Allen Walls was promoted to Division Chief, a training position. So that opened up a position for a fire fighter paramedic. We recently conducted a comprehensive selection process and are prepared to make a recommendation this evening. We recommend Scott B. Becker to fill this position of career fire fighter paramedic. Scott's currently employed part-time with us. He resides at XXXXXXX in Colerain Township. I provided the Board a copy of his resume and also those reports that we were expecting to receive, we have received those and those are favorable. So he has been through all the steps and we have all the information that we need. We look for this to be effective on November 20th, and per the contract put the bargaining agreement, the wage is at the FFP1 step, \$39,298.32.

Mr. Fiedeldey: Any questions?

Mr. Fiedeldey: Mr. Ritter?

Mr. Ritter: Do not

Mr. Fiedeldey: Mr. Corman?

Mr. Corman: None

Mr. Fiedeldey: Motion to approve.

Mr. Corman: so moved.

Mr. Ritter: Second.

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Chief Silvati: Thank you. That's all.

REGULAR

November 13, 2007

Mr. Fiedeldey: you're welcome. Mrs. Klosterman.

SENIOR & COMMUNITY CENTER Wheelchair Bus Replacement

Mrs. Klosterman: Good evening. I have before the Board this evening again some information about a wheel chair bus replacement item. This really would be the very first bus that the township has purchased in full. Prior to this all the buses have been paid for by Council on Aging funding, which is no longer available. Funding for transportation is pretty flat as are most services at this time. So basically I've given you some information about an on the lot purchase right now that was a demo bus that has about 100 miles on it right now. With a 20% down, it would hold the price until the money was available next year. I'll get you more information by the next meeting.

Mr. Ritter: Do you want to get a sense of the Board as long as you're here so we don't spin your wheels unnecessarily? I support it. So this would come out of your 08 appropriation?

Mrs. Klosterman: Correct, other than the 20% down payment.

Mr. Ritter: Understood.

Mrs. Klosterman: That would come out of this year's

Mr. Ritter: And could Mrs. Klosterman's budget absorb it this year? (Unintelligible) Good. I know we talked about using it for summer events too and the issues we had last year I would support it.

Mr. Fiedeldey: I support the bus but I have some questions for you. The current one we have – you may have it in here -- it's an older bus?

Mrs. Klosterman: Yes.

Mr. Fiedeldey: How many miles are on it?

Mrs. Klosterman: Between 135 and 140 (thousand) as of last week. Now I haven't checked it, we had no transportation yesterday, but I haven't checked it today.

Mr. Fiedeldey: Okay, then I'm going to go back and ask you pointedly, what year is it?

REGULAR

November 13, 2007

Mrs. Klosterman: It's a 1999.

Mr. Fiedeldey: So you put a fair amount of miles on it each year.

Mrs. Klosterman: Big Township.

Mr. Fiedeldey: I'm just asking a question: I don't know the difference in cost. I'm looking at the 6.8 liter gas engine and I'm sure that it has a big appetite for fuel.

Mrs. Klosterman: I'm sure it does.

Mr. Fiedeldey: I don't know the difference in cost for diesel.

Mrs. Klosterman: I can check that out.

Mr. Fiedeldey: But generally speaking, Bruce McClain, can you help me here? I believe they get a lot better gas mileage, the diesels than the gas, generally speaking.

Mr. McClain: Well we have found out that diesel is not only more cost effective on the fuel but on maintenance. It's just the initial cost, but in the long run it pays for itself.

Mr. Fiedeldey: Okay. Maybe you could do a little study on that and bring it back to the board to see if it makes any sense.

Mr. Ritter: Sounds like a good suggestion.

Mr. Fiedeldey: Other than that, I support it, you need it.

Mrs. Klosterman: Thank you. I'll get that to you by the next meeting.

Mr. Corman: Mrs. Klosterman, what you are saying about this is that this is what is readily available.

Mrs. Klosterman: This is what is available. Yes.

Mr. Corman: Due to marketing and the way they build these things, they won't build them again until next year later in the year that's why it's strictly a gasoline powered vehicle.

REGULAR

November 13, 2007

Mrs. Klosterman: In 2008. Right. Yes, this is an off the lot purchase what I have proposed here, but if we would like to look at the cost of a diesel that would obviously be a bus that they would build.

Mr. Fiedeldey: Are we saying there's not any 07 diesels available?

Mrs. Klosterman: I have to check. I'm not really sure, I'll have to check.

Mr. Fiedeldey: It's just a thought. You know, once we get \$4 gas or something we might think it's a good idea.

Mr. Corman: It's okay, we all might be riding it before the next year.

Mr. Fiedeldey: I'm going to get an electric wheel chair. Legal. Mr. Reuter.

LEGAL

Northgate Mall TIF

Reuter: The first item on my agenda relates to the Northgate Mall TIF. What I had hoped to do was to bring before the Board a brief resolution amending the action the Board took at November 28, 2006, meeting which limited the amount of public projects to \$1.5 million. I am going to have to pull this item from the agenda tonight because shortly before the meeting Mr. LaJeunesse, the attorney for the mall called me and said.—I've been after him for several days to get me a copy of the signed agreement principal back to me and it didn't come. Shortly before the meeting he called me and indicated that his clients did not sign it and would not be sending it back this evening. So that has to be the basis for amending the 2006 resolution on the funding level. So I need to pull that item from the agenda.

Mr. Fiedeldey: is that merely that it didn't get through the system or is there other issues? Do you know?

Mr. Reuter: There. Well, for a couple of days the explanation that I got was that it is in the system. People were out of town that didn't get in front of the right person or whatever. And, I had a very direct conversation with Mr. LaJeunesse Friday that it's been quite a while and that I need to get that back. And tonight he told me that they are evaluating the agreement, and that they're are unhappy about the November 4th article in the *Enquirer* and that's the reason that he gave me. That's all I know. He didn't really have any more information and I had to leave. If I had spent more time on the phone with him, I'm not sure I would have gotten any clearer an answer.

REGULAR

November 13, 2007

Mr. Fiedeldey: Well I don't know what he is referring to as far as the article in the paper, personally, that has nothing to do with that, personally. Because the folks from the mall are the ones that said they did not want a clock tower or a fountain.

At least they previously said they didn't know where that came from. So I don't know what their issue is. I think the bottom line is that everybody wants to try to get something done. The other thing is we need to keep an open mind as we get a designer onboard. When the reporter called me I thought I was being forthright with him and said, as we have done with like our parks, we got a lot of public input, had various things for them to look at. The final analysis was that Colerain Park and Heritage Park turned out wonderful. The same thing, I think should apply to the streetscape and this focal point we are trying to create.

If the people we are trying to attract don't care for it, what's the point? You know, the upshot is to have various input—we don't know everything that's for darn sure. I don't what their issue is personally. I guess we'll have to let it play out.

Mr. Ritter: I would like to give my opinion that many of your comments that you just made are a gross distortion of the facts. Your statement, first of all, attributed that were made in the *Enquirer* were a direct contradiction of the vote that you made that evening. The distortion you just made now was that you didn't know where the design came from. You're talking about the original design.

Mr. Fiedeldey: I didn't say me. I said Feldman said they didn't know.

Mr. Ritter: Let me ask Mr. Reuter a frank question. Being the smart man that you are, if you had to guess, what is the reason for the reticence of the mall to enter into an agreement with this township. What would you say?

Mr. Reuter: That they thought they had an agreement in principal, and (hesitation)

Mr. Ritter: I'm expecting your frankness.

Mr. Reuter: Well they thought they had an agreement in principal and what LaJeunesse told me was that the article cast that confidence in doubt.

Mr. Ritter: Gee, I wonder why?

Mr. Fiedeldey: The agreement in principal, Mr. Reuter, was about the money—to make sure the money was there. There's never been a design. There's been one —actually one --something that the mall hired their designer to present-- this

REGULAR

November 13, 2007

is what they wanted. There's never been that there was actually a designer actually hired, there's not been any input on the design, there's not been any input from the residents on the design and

Note from Fiscal Officer: switched disks and it took up at a different spot

Mr. Corman: (unintelligible) come in here and come up with some other concepts. And that didn't seem to meet somebody's agreement. So, you know, we can keep going and keep going until we find somebody that gives in. We agreed to the regeneration of this funding for the 4.8, but that's what angered me with this article. When I read this article it makes it sounds like that we're saying look, we're going to give you the money but we're not happy at all with what you want to do.

Mr. Ritter: Frankly I'm not sure why any business man would want to do business with this Township right now with the some of the representation on this Board. To be honest with you, I think the mall should have their head examined sometimes for wanting to do business with this Board --to be perfectly frank and on the record. You can quote me on that, Mrs. Key. This is all about one person appointing himself emperor, king, and grand pooh bah—that thinks he knows more than the rest of us and is committed to imposing his view of the world on the rest of us. That's what this is about. Always has been and always will be. So, you know, frankly I really don't care what the mall does at this point. I wouldn't blame them one iota for walking away to be perfectly honest with you.

Mr. Fiedeldey: Well, that's where I think you got it wrong, Mr. Ritter.

Mr. Ritter: Oh, what a surprise.

Mr. Fiedeldey: Just because somebody wants to be opened minded and not zero in on something that you don't know will work. Let the designers design which you are not. You're not even close to it --neither am I.

Mr. Ritter: And did we not hear a presentation from a designer. The first one was fired at your insistence. The second one that was hired was the same people that did Stonecreek. They presented a perfectly reasonable design. No one accepted it. No one drew a line in the sand and said it had to be this.

Mr. Fiedeldey: But they didn't have a design.

Mr. Ritter: We had very minimal references in the agreement principal to a 30-foot feature and a water feature. You contradicted that in the article that was in

REGULAR

November 13, 2007

the *Enquirer*—and which by the way was attributed to all the trustees. Frankly the reporter that was in question here is a disgrace to his profession in my opinion, but I digress. The agreement principal included those two references, and Mr. Fiedeldey was quoted as saying, “they’re off the table.”

Mr. Fiedeldey: That’s not true, that is not true.

Mr. Ritter: I suggest that we move on with the agenda this evening. This is a pointless exercise.

Mr. Fiedeldey: .Well, you think that you can have your say and try to stick somebody.

Mr. Ritter: Isn’t that the pot calling the kettle black?

Mr. Fiedeldey: What is wrong is that you don’t think somebody else should have an opinion. And my opinion was let’s let the designers design, let’s get some public input, and we’ll all agree on something. As far as the TIF in principal, that was agreed upon. Let’s go forward. You are making an issue out of something that isn’t an issue, and you haven’t even seen a design.

Mr. Ritter: If it wasn’t an issue, then the mall wouldn’t have just pulled out tonight.

Mr. Fiedeldey: You’re crazy, they didn’t pull out. If they did, they did. Anyway, let’s go forward. Mr. Reuter, do you have some text amendments for us?

Mr. Reuter: There are two zoning cases before the Board. These were the subject of public hearing in front of the Trustees at the October 9 meeting. The first case is ZA2007-4. This was a lengthy list of technical corrections to the zoning resolution. There was extensive discussion among members of the Board about changing and amending the recommendation to the Zoning Commission. I did not get – I did some substantial revision of the zoning commission’s proposal, attempting to incorporate the direction that I believed the Board of Trustees gave. I got that out to the Board very late and I apologize for that. In discussions today with Mr. Foglesong and Dr. Roschke and Mr. Fiedeldey, it’s apparent to me that I missed some of the directions from the Board and I don’t have that ready to go. I did provide copies to all the Trustees. It’s about 20 pages, if you would let me know if I have it right, I will have that in final form and ready for you at next meeting.

REGULAR

November 13, 2007

I do have the resolution for Case #2007-7. This is the simplest of resolutions because on these proposed text amendments relating to accessory structure requirements, the Board of Trustees split, and the result of a split vote is that the recommendation from the Zoning Commission is adopted without change. So the resolution which I prepared is about 12 lines long and basically adopts the Zoning Commission's recommendation and if I have your permission I will read that for your consideration.

Mr. Fiedeldey: You say on the accessory buildings?

Mr. Reuter: Yes, on the accessory structures

Mr. Fiedeldey: You say we're split?

Mr. Reuter: As you probably recall, in this hearing there was disagreement about fences around the pools, and it was a 2 to 1 vote.

Mr. Fiedeldey: Okay, I thought we agreed, but go ahead.

Mr. Reuter: Well, if I have it wrong I can fix it?

Mr. Corman: You don't have it wrong, Mr. Reuter.

Mr. Reuter: Okay, that being the case then 2 yes votes on the Board would result in the adoption of the recommendation of the Zoning Commission without change.

Mr. Fiedeldey: Okay.

Mr. Reuter: Okay. The caption is "Resolution Adopting Amendments to Provisions of Zoning Resolution Relating to Accessory Structure Requirements, Case ZA2007-7." Whereas the Board of Trustees on October 9, 2007 conducted a public hearing pursuant to Ohio Revised Code Section 519.12 and certain text amendments to the Colerain Township zoning resolution, initiated by the Colerain Township Zoning Commission as Colerain case # ZA2007-7 and that at the conclusion of the public hearing voted 2 to 1 to approved the proposed changes attached here as Exhibit A. Exhibit A is the document that Dr. Roschke presented to you on October 9, and it reflects the complete recommendation of the Zoning Commission. Now therefore be it resolved by the Board of Trustees of Colerain Township, Hamilton County, Ohio that the Board does hereby accept the recommendation of the Colerain Zoning Commission and adopts the

REGULAR

November 13, 2007

amendments of the Colerain Township Zoning Commission attached hereto as Exhibit A. Adopted in regular section on this day, 13th day November 2007.

Mr. Fiedeldey: Where does it give us the set-backs off the property?

Mr. Reuter: The set-backs are part of the other case 2007-4.

Mr. Fiedeldey: I got it. Okay.

Mr. Reuter: That's the first item in the 20 pages.

Mr. Fiedeldey: I got you. Any questions, Mr. Ritter?

Mr. Ritter: None.

Mr. Fiedeldey: Mr. Corman, any questions?

Mr. Corman: None. This is on 07? Correct?

Mr. Reuter: Yes, sir.

Mr. Fiedeldey: On 07. Motion to approve—we already did. Motion to approve.

Mr. Ritter: So moved.

Mr. Corman: I believe I was the nay vote the last time.

Mr. Fiedeldey: I'll second.

Mr. Corman. "Nay"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Reuter: Thank you. That's all I have.

Note from Fiscal Officer: transcription concludes here. Minutes resume.

ADMINISTRATION

REGULAR

November 13, 2007

Aggregation Update

Mr. Foglesong said that if the Board does not wish to attend the meeting, he would like to have a list of the Board's questions. Mr. Fiedeldey said the only question is if we're getting a better deal.

NEW BUSINESS

FIRE DEPARTMENT

Pay Rate Changes

Chief Silvati requested the Board approve the following pay rate changes:

Name	Rank	Rate	Effective Date
Tyler Willis	FF/Medic	\$13.83	10-29-07
Steve Widener	FF/Medic	\$13.83	10-29-07

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

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

New Part-Time Hire

Chief Silvati requested the Board approve the following new hires for the position of part-time firefighter/EMT, at a rate of \$12.59, effective November 13, 2007:

- Ryan Lucas
- Daniel Korte
- James Williams
- Phillip Eads
- Matthew Gatto
- Matthew Beahr
- Bradley Johnson
- Jessica Moening
- William Benderman
- Daniel Siciliano
- Brian Schira
- Joseph Geis
- Nunzio Fiorito
- James Montgomery

REGULAR

November 13, 2007

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

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

Chief Silvati requested the Board approve the following new hires from Recruit Class 11, for the position of firefighter/EMT, at a rate of \$11.65, effective November 13, 2007:

- Kyle Temple
- Noah Spears
- Bryan Lynch
- Raymond Fitzjarrell
- Jay Schneider
- Joshua Kramer
- Ryan Garvey
- Dave Lillie
- Paul Littlefield

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

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

PUBLIC WORKS

Jamestown Bay Subdivision Acceptance

Mr. McClain said that Hamilton County Engineer has presented the Jamestown Bay Subdivision consisting of King James Court, Baytowne Drive, Hermes Drive Extension for the Colerain Township Board of Trustees to assent to the acceptance. He recommended the Board establish:

- A STOP SIGN

On the Hermes Drive Extension at Baytowne Drive on the northeast corner.

On Baytowne Drive at King James Court on the southeast corner.

- A 25 MPH SPEED LIMIT ZONE:

REGULAR

November 13, 2007

On King James Court from Hanley Road to the Culdesac totaling 747 feet.

On Baytowne Drive from King James Court to the culdesac totaling 1,444 feet.

On Hermes Drive Extension from Baytown Drive to the west property line of 3799 Hermes Drive totaling 156 feet.

- **A NO PARKING FIRE LANE ZONE**

On the east then the south side of King James Court including the culdesac from Hanley Road to the east property line of 7021 King James Court for a distance of 809 feet.

On the west then the north side of Baytowne Drive including the culdesac from King James Court to 9 feet west of the east property line of 6724 Baytowne Drive for a distance of 1,575 feet.

On the north side of Hermes Drive extension from Baytowne Drive to the west property line of 3799 Hermes Drive for a distance of 156 feet.

- **A NO PARKING ZONE TO BE ABOLISHED**

On the south side of Hermes Drive from the west property line of 3799 Hermes Drive 41 feet east for a distance of 41 feet.

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

Mr. Corman. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Part-time Seasonal Hire

Mr. McClain recommended the Board hire Nathan T. Honis as a Part-time Seasonal (Classification 13-B), at a rate of \$9.23 hour effective November 13, 2007.

REGULAR

November 13, 2007

Nathan is a Township resident and college student who will be supplementing our road workers on days available and as needed.

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

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

PARKS AND SERVICES

Clippard Park Master Plan

Mr. Schwartzhoff said that Brandstetter Carroll will be at the next meeting to discuss the proposals.

ZONING

Nuisance Abatement Resolution

Dr. Roschke read Resolution 54-07, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

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

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

ADMINISTRATION

Application to OKI

Mr. Foglesong said the Township has received a request from OKI to appoint a representative to the OKI Regional Council of Governments Board of Directors by January 10, 2008.

The Board agreed to wait on this appointment until their January meeting.

Membership to RPC

Mr. Foglesong said that we have received a request to join the Regional Planning Commission. He noted a letter from the director of the RPC which stated that the issues which caused us not to join have not materialized and we should now consider joining. Mr. Foglesong said that he also received a memo from Dr. Roschke recommending that we join the First Suburbs Consortium at a minimal cost of \$250.

The Board agreed not to join the RPC, but to join the First Suburbs Consortium.

REGULAR

November 13, 2007

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:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
521-2007	Rumpke Sanitary Landfill Inc.	Solid Waste Disposal Fee Sept 2007	42,040.62
522-2007	Sr. & Comm. Center	HDM Don, Tran Don, Lunch	219.40
523-2007	Dusty Rhodes, HC Auditor	Local Gov Hgwy. Oct, SIF Oct, Rev Assist Act	81,558.14
524-2007	Dusty Rhodes, HC Auditor	Permissive Motor Sept, Motor Veh Aug	39,537.41
525-2007	Dusty Rhodes, HC Auditor	2 nd Half Real Estate 2006	691,936.60
526-2007	Dusty Rhodes, HC Auditor	2 nd Hal Real Estate 2006 Weed Abatement & Lighting Districts	11,158.50
527-2007	Dusty Rhodes, HC Auditor	2 nd Half Real Estate 2006 - TIF	91,278.85
528-2007	Fifth Third Bank	HL Green Invest Interest on Mature Investment	5,138.89
529-2007	Council on Aging	August COA	10,109.40
530-2007	State of Ohio	1 st Half Manufactured Homes Settlement 2007	298.62
531-2007	Star Ohio	Investment Star Aug.	10,538.33
532-2007	Fifth Third Bank	Aug Int Gen & Now	51,886.97
533-2007	Zoning Dept.	Certificates, Other	561.00
534-2007	Police Dept.	Court Reimb, Donation	2,090.00
535-2007	Fire & EMS Dept.	Foster Care, Plan Reviews, Inspections	190.00
536-2007	Zoning Dept.	Sidewalk Fund	15,142.40
537-2007	Time Warner Cable	Franchise Fees for	79,026.67

REGULAR

November 13, 2007

		Period Ending Sept. 2007	
538-2007	Sr. & Comm. Center	Prog Fees, Rent Even Dep, DMB, Tran	777.75
539-2007	United Water Waste	Recycle Day	275.00
540-2007	Fire & EMS Dept.	Plan Reviews	560.00
541-2007	Public Works Dept.	Jury Duty Reimb.	171.00
542-2007	Fire & EMS Dept.	Commissary, Cell Calls, Name Plates	7,961.89
543-2007	Fire & EMS Dept.	EMS Billings	13,991.90
544-2007	Zoning Dept.	Certificates, BZA, Amendments, Other	3,417.12
545-2007	Dusty Rhodes, HC Auditor	Property Maint. Code	500.00
546-2007	Dusty Rhodes, HC Auditor	Gas Tax Oct	26,780.92
547-2007	Sr. & Comm. Center	Prog Fees, RM Rent, HDM, Tran, Lunch	890.71
548-2007	Zoning Dept.	Certificates	175.00
549-2007	Independent Energy Consultants, Inc.	Sept. 2007 Commission	410.16
550-2007	Fire & EMS Dept.	Plan Reviews	150.00

Mrs. Harlow requested the following appropriation adjustments:

For Administration:

- Take \$1,500 from 1000-110-344-0000 (printing) and adjust to 1000-110-342-0000 (postage)
- Take \$35,000 from 1000-930-930-0000 (contingencies) and adjust to 1000-120-190-0000 (salaries)

For the Fire Department:

- Take \$3,500 from 2111-220-599-0000 (other expenses) and adjust to 2111-220-318-1002 (tuition reimbursement)
- Take \$10,000 from 2111-220-599-0000 (other expenses) and adjust to 2111-220-420-1008 (vehicle parts & supplies)

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

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

REGULAR

November 13, 2007

Mrs. Harlow requested a transfer from the General fund 1000-910-910-0500 transfers out to 2111-931-0000 Transfers in, in the amount of \$15,000.00. This is for the third quarter lease fees from Rumpke for rent at the CTTC. Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

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

Mrs. Harlow requested an appropriation increase for Fund 2261, Drug Enforcement and Education in the amount of \$2,500. The Police Department has exhausted current appropriations as the Undercover team has used more drug identifications with the Coroner's Office. They have brought in the cash to cover this. Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

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

Mrs. Harlow requested that the advance from the General Fund to the Lighting District fund be repaid in full, \$24,000. Mr. Ritter made such motion and Mr. Corman offered the second. The roll was called:

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

Mrs. Harlow requested a transfer from the General Fund to the Police District: take the \$400,000.00 from 1000-910-910-0600 transfers - out and transfer into fund 2081-931-0000 transfers - in. These funds will be necessary to meet the remainder of the year expenses, and hopefully provide for a small reserve into next year. Mr. Corman made such motion and Mr. Ritter offered the second. The roll was called:

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

PUBLIC HEARING

BZ2007-05 RV Parking Amendments

Dr. Roschke presented the staff report.

REGULAR

November 13, 2007

Mr. Ritter asked about the resident moving the vehicle 6" and saying that they had moved it, in accord with the code, and Dr. Roschke said they work with the police on that.

Nancy Lindenmood of Squirrelsnest Lane said that in the Township we can have a high quality of life or compromise. This seems to be a compromise. She feels it will be difficult to enforce and recommends the Board reject this.

Mr. Corman motioned to close the public input and Mr. Ritter offered the second. The roll was called:

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

Mr. Corman said that not everyone can have their recreational vehicles off premises. Citizens should not be denied the right for a hobby. This is not just visual effect, but the quality of life for the residents. He feels this won't open a bedlam of massive RVs in the front yard. Citizens have the minimum right to do something with their free time. He supports approval of the text.

Mr. Ritter said he agrees with Mr. Corman and that the Zoning Commission got it right. He is prepared to support it.

Mr. Fiedeldey asked if should limit to 24' wide. The Board agreed.

Mr. Wolterman asked how this would be interpreted if someone had a three car garage. Mr. Fiedeldey said the driveway would be narrower off the road and then flares out to the garage doors. Mr. Wolterman said he agrees, but that's not what the verbiage says. Mr. Fiedeldey said that his concern was the smaller lots and we have covered it.

Mr. Westfall said that they can't change that because they can only vote on this amendment. Mr. Reuter said they are revising the entire section 13.6. Mr. Westfall said that was not discussed at the Zoning Commission. Mr. Fiedeldey said they have a say as long as they are unanimous. Mr. Westfall said that the procedure must be followed as set out by the Board.

Mr. Fiedeldey discussed section 13.6.10 – paved surface. Should we clarify what paved means? Dr. Roschke said this is defined elsewhere.

Mr. Fiedeldey asked about the front yard and if this needed to be defined. Dr. Roschke said this could be added to the definition. The Board agreed that if it's

REGULAR

November 13, 2007

under a carport, it's OK. Mr. Fiedeldey asked why we would want to encourage the free-standing car ports as they are not very appealing. Mr. Corman said this would not be a reason to warrant putting these under a car port. The Board agreed to insert the words, "would not extend past the front of the residential structure."

Mr. Corman said that we must be careful to not make our zoning code like the U.S. tax code.

Mr. Reuter read the summary.

Mr. Corman motioned to accept the proposal with revisions. Mr. Ritter offered the second. The roll was called:

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

Mr. Fiedeldey complemented Mr. Westfall and the Zoning Commission for a job well done. They were very thorough.

ADJOURNMENT

With no further business to come before the Board, at 10:03 PM, Mr. Ritter motioned for adjournment. Mr. Corman offered a second.

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

Fiscal Officer

Trustee

Trustee

Trustee