

RECORD OF PROCEEDINGS  
REGULAR

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Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUGHINI, SPRINGFIELD, OHIO

Form 6101

January 13, 2009

Held \_\_\_\_\_

**OPENING OF MEETING**

Mr. Ritter called the meeting to order at 5:32 PM with Mr. Fiedeldey, Mr. Wolterman, and Mrs. Harlow in attendance.

**EXECUTIVE SESSION**

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing matters relating to pending and imminent litigation and matters relating to the compensation of public officials or employees.

At 5:32 PM, Mr. Fiedeldey made such motion and Mr. Wolterman offered the second. No discussion and the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

At 7:04 PM, the Board returned from Executive Session. Mr. Ritter requested Mr. Reuter state the result of executive session. Mr. Reuter said that no decisions were made in executive session and there was nothing to report.

Mrs. Harlow reconvened the meeting at 7:04 PM.

Mr. Wolterman offered the invocation and all recited the Pledge of Allegiance.

Mrs. Harlow requested nominations from the Board for President. Mr. Wolterman nominated Mr. Ritter. Mr. Ritter offered the second. Mr. Ritter accepted the nomination. No discussion and the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mrs. Harlow requested nominations from the Board for Vice President. Mr. Ritter nominated Mr. Wolterman. Mr. Fiedeldey offered the second. Mr. Wolterman accepted the nomination. No discussion and the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**APPROVAL OF MINUTES**

Mr. Ritter requested corrections to the November 13, 2008, special meeting minutes. Mr. Fiedeldey requested it be noted at the end of the minutes that, "All of the design firms cited public comment and input as important." Mr. Wolterman made a motion to approve the minutes as amended and Mr. Ritter offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Ritter requested corrections to the December 9, 2008, regular meeting minutes. There were none. Mr. Wolterman made a motion to approve the minutes as drafted and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Ritter requested corrections to the December 18, 2008, special meeting minutes. There were none. Mr. Fiedeldey made a motion to approve the minutes as drafted and Mr. Wolterman offered the second. The roll was called:

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Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**ORGANIZATIONAL BUSINESS  
RESOLUTIONS**

Mr. Foglesong said there are a number of items, which must be approved at this first meeting of the year.

Mr. Foglesong read Resolution #01-09, Resolution Authorizing Board Expenses for Travel/Seminars. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #02-09, Resolution Authorizing Board Expenses for Travel/Seminars Outside of Township. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #03-09, Resolution Authorizing Employee Expenses for Travel/Seminars. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #04-09, Resolution Authorizing Memberships to Organizations. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second

Mr. Fiedeldey asked if the resolution had checked for statutory authority. Mr. Reuter said that didn't review each organization individually, but it is essentially same character as has been in the past. He is comfortable advising the Board that these are acceptable organizations.

Mr. Fiedeldey said that in looking at the CTBA's mission statement, the Township's membership in the CTBA is a conflict of interest. He read the Mission Statement:

Established in 1979, our business association speaks collectively for business professionals to local, county, state and federal agencies. The CTBA accomplishes more tasks acting as one, than any one of us could do alone.

Mr. Fiedeldey said we need to have an arm's length.

Mr. Reuter said the activity of the organization is to promote economic and business development in the Township. This assessment is based on watching what they have done over the years. In practice, the activity can be supported by the Township as a member.

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Mr. Fiedeldey said that, as a business owner, he chose not to be a member after he was elected because of the conflict. What is the statutory authority? He suggested this be removed until this statutory authority is confirmed

Mr. Ritter disagrees and is comfortable with the Township's membership in the CTBA

Mr. Fiedeldey asked that we have the statutory authority checked.

Mr. Ritter wants to have close relationship with the business community.

Mr. Wolterman said it is prudent to recognize what we do in Colerain Township as it relates to the global community.

The roll was called:

Mr. Fiedeldey. "Abstain"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution #05-09, Resolution Authorizing Hiring of Additional Counsel and Fixing Attorney Fees. Mr. Wolterman motioned. Mr. Fiedeldey seconded.

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**MOTIONS**

Mr. Foglesong asked for a motion to appoint two representatives to serve as members of the Fire Relief and Pension Fund Board. He said this is typically the Board President and Vice President. Mr. Fiedeldey made such motion and Mr. Wolterman offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong asked for a motion to appoint representatives to serve as members on the HCDC TIRC. He said this is typically himself and Mr. Birkenhauer. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong asked for a motion to appoint a representative to serve as a member of the Ohio Kentucky Indiana Regional Council of Governments Board. Mr. Wolterman accepted this appointment. Mr. Ritter made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong asked for a motion to continue the employment and payment of part-time employees at the current rates. Mr. Wolterman made such motion and Mr. Ritter offered the second. Without discussion, the roll was called:

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

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Mr. Wolterman. "Aye"

Mr. Foglesong asked for a motion to continue all current contracts previously approved by the Board. Mr. Wolterman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**PUBLIC HEARING**

**LIBRA LANE WEST LIGHTING DISTRICT**

Mr. Foglesong said the Colerain Township Board of Trustees was presented with a petition on December 23, 2008 for a lighting district located on Libra Lane, within Colerain Township. The required 51% front footage signatures have been received with 62% in favor. From the signatures received, only one resident opposed lighting their street. No explanation was given except "no light" was entered on the petition. This parcel's front footage is 52. The cost of lighting to each property owner is approximately \$2.31 month. Three new lights are to be installed, after January 2010, as scheduled by Duke Energy, depending on workload.

Mr. Fiedeldey suggested that no light be placed in front of the home who said "no light." Mr. Foglesong said that we would work with Duke Energy to ensure this

Mr. Wolterman made a motion to open the public hearing and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

No one wished to speak.

Mr. Fiedeldey made a motion to close the public hearing and Mr. Wolterman offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution 06-09, "Libra Lane Lighting District."

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**SHERIFF'S REPORT / COLERAIN POLICE REPORT**

Lt. Schoonover said the following statistics were generated in November 2008;

- 61 cases were assigned to the Sheriff's Criminal Investigation Section and 40 were closed, with \$12,898.00 in stolen property recovered.
- 15 D.U.I. arrests by County contract and non contract Deputies.
- 173 citations were issued by Hamilton County Sheriff's Office Colerain Contract Cars. 142 cites by non contract Deputies with a total of 315.

Chief Meloy said the Colerain Township Police Department issued 430 traffic citations and had 15 DUI arrests.

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**TRUSTEE REPORTS**

**MR. FIEDELDEY**

Mr. Fiedeldey said he wanted to read a couple of letters we have received:

Scott Gavigila, a Union Township Police Lieutenant and Colerain Township resident, wrote about his son's Boy Scout troop's recent trip to the firehouse on Galbraith Road. He recognized Asst. Chief Marvin Sheets for setting up the tour and Firefighters Steve Widemer and Scott Hudson for their enthusiasm and patience with the scouts.

Mr. Fiedeldey said that we received confirmation today from the Ohio Public Works Commission that we have granted funds for the Bellhaven and Flamingo Lane reconstruction. The street was dedicated, but never accepted. It is 50 years late, but the citizens will finally get their street.

**MR. WOLTERMAN**

Mr. Wolterman wished everyone a great 2009, especially to all of our police officers. He said that during these hard times, our neighbors might need extra help or care. He said we should take care of neighbor and go the extra mile.

Addressing Chief Smith, Mr. Wolterman said that Bright, Indiana, is looking into forming a fire department. He said they are interested in visiting Colerain Township and see how we operate. Mr. Wolterman noted that two of our fire fighters live in Dearborn County.

Mr. Wolterman said that in the late 1990s, we adopted Obergiesing, Germany, suburb of Munich as a sister city. He said that as we look at economic development it is important to remember the international community.

Mr. Ritter motioned to appoint Mr. Wolterman the representative to the sister city committee. Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

**MR. RITTER**

Mr. Ritter requested some follow-up on the sewers on Yellowstone. Mr. Foglesong said he spoke with Tim Ingram who said he would be willing to work with MSD to see if there is a less costly option. Mr. Ritter suggested we check in with the county about this.

Mr. Fiedeldey asked about the letter to CMHA about 10% bonus. Mr. Foglesong will check on this. Mr. Ritter suggested a deadline date for them to tell us the outcome.

Mr. Ritter said we have been contacted by the local soapbox derby club, asking if we want to host an event. He said that we would need to close the street to traffic for this. Mr. Fiedeldey asked Mr. McClain if there are any streets that could host the soap box derby. Mr. McClain said they are brainstorming.

Mr. Wolterman said that Congressman Steve Driehaus is hosting a meeting Friday morning at 9AM at City Hall to discuss the possible stimulus plan and how that relates to public improvements. Mr. Wolterman plans to attend and invited Mr. McClain. The Board agreed Mr. McClain should attend.

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**CITIZEN ADDRESS**

Tiffany Fernbach of 2602 Haverknoll Drive, addressed the Board about an empty house at Westerly and Spalding, where a tree blew over in the September windstorm. The tree is blocking the front door and garage door. Very unsightly and could pose a safety problem. Mr. Ritter said that we can take a look. Deputy Hopewell said he will work on this. Dr. Roschke said they have been in touch with the management company several times. Mr. Reuter said we can go clean up the debris. Mr. Fiedeldey said there are two separate items, the nuisance and the structural problems.

Ms. Fernbach said she would like to start a Farmer's Market here in Colerain Township, to help to promote eating local and eating healthier. Mr. Ritter asked Dr. Roschke to explain how the Transient Vendor resolution would affect this. Dr. Roschke suggested Ms. Fernbach call her about this. This needs to be in a business district.

**UNFINISHED BUSINESS****POLICE DEPARTMENT****Sheriff's Patrol Update**

Mr. Ritter said he, Chief Meloy, and Mr. Foglesong attended a meeting with Sheriff Leis on January 6. Sheriff Leis announced that our non-contract, deputies will be reduced from 15 deputies to 9. Chief Meloy was asked to prepare options for the Board to consider.

Chief Meloy said we have six beats in which the sheriff's office (HCSO) staffs three and we staff three for every 8-hour shift, 24 hours a day. He said there are four options to the response of the loss of six deputies:

Option 1: doing nothing. No re-allocation of employees. HCSO beats would not be covered.

Option 2: maintain current service by contract to the HCSO.

Option 3: maintain current service by contract to the HCSO, if 2<sup>nd</sup> shift car not able to be reallocated, this would have to increase our contract

Option 4: Reallocation of Township officers from 8-hour to 12-hour shifts. The bike team will be reallocated to an as-needed team and the officers moved to car patrol.

Chief Meloy's recommendation, with the responsibility to maintain the department's budget, is to put the 12-hour shifts into place, option #4. He said the bike patrol is a street crime proactive, floating between business district and neighborhoods. This would be a loss, but not the loss we've had in the HCSO. He said our contract would continue.

Chief Meloy rhetorically asked if this option degrades public safety and said that we're all out there and doing the best we possibly can. He is confident that these ladies and gentlemen are committed to this community.

Mr. Ritter said it's not fair what happened. His heart goes out to the deputies affected, but he supportive of the recommendation.

Mr. Fiedeldey said that he hates to see us loose the deputies, but defers to Chief Meloy's expertise.

Mr. Wolterman recognized the work and due diligence. He congratulated Chief Meloy and the officers for stepping up. Citizens will not be in jeopardy with this

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plan. He suggested an 8-month trial period. This will be monitored to be sure we're not putting ourselves in a bad situation. Contracts will be continued with the sheriff.

Mr. Ritter said that he has heard all three Trustees have complimented the partnership we have. But, we must act in the best interest of the Township.

The Board signed the memorandum with the Police Union to change the shifts.

Mr. Fiedeldey said there is a rumor of state law being changed, with money coming to Sheriff's office. He hopes that this passes and we get the deputies back.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**Vehicle Purchase**

Chief Meloy requested the Board approve the purchase of a 2009 Chevrolet Impala for use by the Northwest Local School District investigator. The vehicle was agreed upon through the contract with the School District and the costs associated with the purchase of the vehicle are being paid through the contract. To date, the Police Department received approximately \$24,000 dollars in payment for investigative services provided. The expected cost for the vehicle is \$20,000.00.

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

The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**PARKS & SERVICES**

**Playground Contract**

Mr. Schwartzhoff requested the Board approve the contract for the building of the playground at Clippard Park. He said that Mr. Reuter and Mr. Foglesong have reviewed the contract.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Schwartzhoff also mentioned that we have received approval from MSD for the Clippard Park restrooms and spray park.

**ZONING**

**Resolution Journalization LUPA 2008 1 & 2**

Dr. Roschke read Resolution 07-09, for LUPA 08-01.

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

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Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Dr. Roschke read Resolution 08-09, for LUPA 08-02.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**ADMINISTRATION**

**Part-time Personnel – Receptionist**

Mr. Foglesong requested the board hire Connie Cottingham to fill the vacant part-time receptionist position. She would begin work on Wednesday, January 14, 2009, at a starting rate of \$11.00/hour.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**Debris Pick-up in Rights of Way Policy**

Mr. Foglesong said they are developing this program.

Mr. Foglesong also mentioned the joint meeting with Townships in our aggregation program, West Chester and Springfield Townships about electric aggregation. There will be a presentation at meeting on the 22nd. Mr. Wolterman said this is a legal way to move the prices up.

**NEW BUSINESS**

**FIRE DEPARTMENT**

**Part-time Pay Rates**

Chief Smith requested the following pay rate changes:

Employee	Rate	Rank	Effective Date
Matt Nichols	\$14.94	FF/Paramedic	12-16-08
Eric Rupp	\$14.94	FF/Paramedic	12-19-08
Brian Maginn	\$14.94	FF/Paramedic	12-22-08
Michael V. Bumpus	\$14.08	FF/EMT/FAO	1-5-09
Justin Bell	\$14.08	FF/EMT/FAO	1-5-09

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**POLICE DEPARTMENT**

**Pay Journalization**

Chief Meloy said that effective January 23, 2009, per collective bargaining agreement, Officer Edwin Cordie will successfully complete his one-year probationary period and receive an "annual" step increase. He will move from "Step 1" to "Step 2" at an annual wage of \$48,322.56. A copy of the Journalization has been supplied to the Fiscal Officer.

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**D.A.R.E GRANT**

Chief Meloy said the Ohio Attorney's General's Office awarded the Police Department \$3,935.00 to teach the DARE program at St. John's, Bevis and Pleasant Run Elementary Schools in Colerain Township. The funds are provided to reimburse the Police Department for the officer's time to teach DARE at the three elementary schools.

Mr. Fiedeldey made a motion to accept the grant and Mr. Wolterman offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**CALEA Onsite Assessment**

After last month's meeting, Chief Meloy advised the Board that the assessors from CALEA would be on-site and conducting the assessment for our reaccreditation request. The assessors were on-site from Saturday December 13, 2008 through Wednesday December 17, 2008. The team of three assessors was from Florida, Connecticut, and Georgia. The on-site went well and the team advised that the Police Department will be recommended for reaccreditation at the March 2009 Commission hearings in Raleigh, North Carolina.

Mr. Ritter complimented Chief Meloy and Lt Unger. Chief Meloy said Lt. Mark Unger did a fantastic job along with Officers Bernecker and Penley.

**PUBLIC WORKS**

**Annual Highway Certification**

The Annual Township Highway System Mileage Certification Form from the Hamilton County Engineer is prepared and ready for the Board's signatures.

This reports the quantity of street growth that occurred in 2008 and a new grand total length of streets the Township maintains in 2009.

A total of 0.56 miles of road was added in the year 2008.  
The total mileage for 2008, effective January 1, 2009 is 109.04 miles.

Mr. McClain requested the Board sign this document.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

**Casual Employee Hires**

Mr. McClain requested the Board hire:

- Mr. Daniel L. Poettker & Mr. Jeff Rack at \$12.00 hr. (Commercial Drivers License (CDL) and air breaks endorsed)
- Mr. William J. Farler at \$11.00 hr. (1-ton truck operator)

as casual Snow & Ice Removal Operators effective January 14, 2009.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

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**ZONING**

**Nuisance Resolution**

Dr. Roschke read Resolution 09-09, which authorized the abatement, control or removal of any vegetation, garbage, refuse or other debris.

Mr. Fiedeldey said one of the properties had a mattress. What are we doing here? One piece is creating a problem. Mr. Foglesong said the new policy would take care of things in the right of way. Mr. Ritter suggested discussions with the residents before citations on items like this. Mr. Wolterman said that we must follow the law.

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Fiedeldey suggested the NROs work closer with the Zoning and use discretion in situations like this. Chief Meloy said the whole goal is to get the job done.

Dr. Roschke discussed the neighborhood stabilization program and said it is targeted to help us handle the foreclosed property. Mr. Fiedeldey asked for a list of where we are going to do this. He said he saw some costs and it seemed like high numbers. Dr. Roschke said those are just estimates.

**FISCAL OFFICER REPORT**

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

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

The Fiscal Officer reported receipts:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
699-2008	CT Fire Dept.	Paper	0.00
700-2008	CT Police Dept.	PW Purchase of Vehicle	0.00
701-2008	CT Police Dept.	Court Reimb	6.00
702-2008	CT Police Dept.	Court Reimb	30.00
703-2008	CT Public Works	Constructions Costs	58,261.10
704-2008	CT Police Dept.	OT PD for OVI Task Force Checkpoint	3,512.23
705-2008	CT Police Dept.	Juvenile Traffic Fines (Nov)	18.00
706-2008	CT Police Dept.	Court Reimb	12.00
707-2008	CT Zoning Dept.	Certificates	105.00
708-2008	CT Police Dept.	Court Reimb	6.00
709-2008	CT Police Dept.	Court Reimb	12.00
710-2008	CT Police Dept.	Court Reimb	12.00
711-2008	CT Police Dept.	State Parking Fines, Drug & DUI	723.83
712-2008	CT Police Dept.	DARE Grant	3,935.00
713-2008	CT Police Dept.	Court Reimb	12.00

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714-2008	ADESA	Sale of 1992 Truck	104.50
715-2008	CT Parks	Overpayment for Forrest Lytle & Sons	1,178.75
716-2008	CT Police Dept.	Court Reimb	18.00
717-2008	CT Sr. Center	Prog Fee, Rm Rent, HDM, Don, Lunch	593.73
718-2008	Colerain	TWP Garnishment Fees	111.00
719-2008	Colerain	Health Insurance	157,136.54
720-2008	Rumpke Sanitary Landfill	Solid Waste Disposal Fee - Nov	73,793.72
721-2008	CT Fire & EMS	Plan Review & Foster Care Fees	225.00
722-2008	Cincinnati Enquirer	Refund from Enquirer	800.84
723-2008	CT Parks	Overpayment for Forrest Lytle & Sons	221.50
724-2008	Dusty Rhodes, Auditor	Net MH Homestead	2,395.71
725-2008	Dusty Rhodes, Auditor	Municipal Court Fines - Nov.	4,342.33
726-2008	Dusty Rhodes, Auditor	Tipping Fees Sept/Oct	1,027.70
727-2008	Dusty Rhodes, Auditor	Local Gov Hgwy Dec, LGF Ded, Permissive Motor Veh Nov	95,376.24
728-2008	Dusty Rhodes, Auditor	Net 2 <sup>nd</sup> Half PP	30,468.78
729-2008	Dusty Rhodes, Auditor	Motor Veh Reg Nov	2,678.54
730-2008	State of Ohio	Manufactured Homes 2 <sup>nd</sup> Half Rollback	323.85
731-2008	Council on Aging	COA	11,773.30
732-2008	Fifth Third Bank	Investment Gen'l Int	7,325.56
733-2008	Star Ohio	Star Ohio Int	4,738.23
734-2008	Fifth Third Bank	NOW Acct Int	14,758.86
735-2008	Fifth Third	Int on Investment	67,500.00
736-2008	Fifth Third	Int on Investment	8,000.00
1-2009	CT Sr. Center	Prog Fees, PC Don, Rent Event Dep, Hdm, Lunch	498.00
2-2009	CT Fire & EMS	EMS Billing	67,977.32
3-2009	CT Fire & EMS	Report, CPR, Reimb, Commissary, Trng, Sign Reimb, CTTC Rent	6,324.63
4-2009	CT Zoning	Certificates, Other	372.00
5-2009	CT Police Dept.	Court Reimb	6.00
6-2009	CT Sr. Center	Prog Fees, Rent Event Dep, HDM, Training Don, Lunch	1,088.35
7-2009	CT Zoning	Certificates, Other	325.00
8-2009	CT Police Dept.	Court Reimb	36.00
9-2009	CT Police Dept.	Court Reimb	24.00
10-2009	CT Police Dept.	Grant Reimb	992.76
11-2009	Staples	Overpayment	197.66
12-2009	CT Fire & EMS	Plan Review	100.00
13-2009	CT Fire & EMS	CPR & Foster Care	120.00
14-2009	Rumpke	Solid Waste Disposal Fees	21,154.15
15-2009	Rumpke	Refund of Overpayment	21,154.15
16-2009	CT Police Dept.	Dec Reports	6.15
17-2009	CT Zoning Dept.	Certificates	415.00
18-2009	CT Police Dept.	Court Reimb	6.00
19-2009	CT Sr. Center	Program Fees	130.00

RECORD OF PROCEEDINGS  
REGULAR

Meeting

Minutes of

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

January 13, 2009

Held

Mrs. Harlow read Resolution 10-09, "Resolution Requesting the County Auditor to Make Advance Payments of Taxes."

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

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mrs. Harlow requested the board make the following appropriation adjustments:

- Take \$887.35 from 2081-210-599-0501 (other expenses) and adjust that to 2081-210-314-0000 (tax collection fees).
- Take \$6.00 from 2081-210-314-0000 (tax collection fees) and adjust to 2081-210-599-0501 (other expenses)

At 8:56 PM, Mr. Fiedeldey motioned for a recess. Mr. Wolterman offered the second. The roll was called:

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

The Board reconvened at 9:05PM

**PUBLIC HEARING**

**Zoning Text Amendments:**

**ZA 2008-4 Wind Turbines**

Dr. Roschke presented the staff report. This would modify Articles 10, 12 and 16, regarding residential wind turbines. She said the state of Ohio has made a distinction between small wind systems and systems of five megawatts and above, leaving regulation of the small systems to local jurisdictions.

Mr. Fiedeldey said these are less than 5 megawatts. He said we should think about the property line set-backs. He said that we limit the sound to 60 decibels, but this is 24/7/365. He said his research said the proper decibels are 40-45 decibels. He said that we need to think about the decibel levels as they are not consistent among the literature he has read. He said we need to be careful what we do and maybe this needs to be conditional use.

Mr. Ritter said the issues are set-backs, decibel levels, and conditional use versus codifying it.

Dr. Roschke said the typical residential would be 1 to 1 ¼ mega watts. The set-back is coupled with the other elements. She said the 60 decibels comes from other communities and industry standards. She said it is an extra burden on the applicant to make this a conditional use.

Mr. Wolterman said that conditional use is a waste of time and this should be codified. He said 60 decibels is reasonable.

Mr. Wolterman motioned to open the public hearing and Mr. Ritter offered the second. The roll was called:

- Mr. Fiedeldey. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

RECORD OF PROCEEDINGS  
REGULAR

13

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

January 13, 2009

Held \_\_\_\_\_

Larry Shad of 10272 Dew Hill Lane said that with a parcel of five acres, there is a spot in the middle of the property about 10' square to place it.

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

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Mr. Wolterman suggested we continue this hearing to get more information about the decibel levels. Mr. Fiedeldey said his concern is that the decibel levels can be manipulated. He suggested we make the decibel level the same as the noise resolution. Mr. Wolterman asked what the average decibel level from different megawatt turbines is. Technology is constantly changing, so we don't know how the noise will be affected in the future. He said that we need more information.

**ZA 2008-5 Outdoor Wood Furnaces**

Dr. Roschke presented the staff report. This would modify Article 10 and 16, regarding outdoor wood furnaces.

Mr. Fiedeldey – are we inclined to ban them? The other Board members are not. He said he knew someone who had one of these and the wood piled around was an eyesore. Also, should we look at regulating the times of year the furnaces can be used. He expressed concern about the exhaust affecting neighbors. He said the fire department and EPA are adamant about not having more than a 3x3 fire.

Mr. Wolterman said that it fits our accessory structure code at this time. Stack 2' higher than the neighbor, but people would probably not have one 40' tall.

Mr. Wolterman motioned to open the public hearing and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

No one wished to speak.

Mr. Wolterman motioned to close the public hearing and Mr. Fiedeldey offered the second. The roll was called:

Mr. Fiedeldey. "Aye"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

Dr. Roschke said that in the on-line survey, there were two respondents and both said they would install one to reduce heating costs.

Mr. Wolterman made a motion to adopt the regulations. Mr. Ritter offered the second. The roll was called:

Mr. Fiedeldey. "No"  
Mr. Ritter. "Aye"  
Mr. Wolterman. "Aye"

RECORD OF PROCEEDINGS  
REGULAR

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

HARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

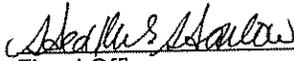
January 13, 2009

Held \_\_\_\_\_

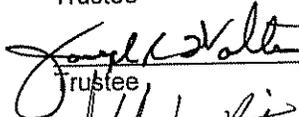
**ADJOURNMENT**

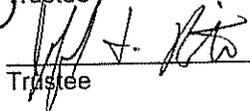
With no further business to come before the Board, at 9:43 PM, Mr. Fiedeldey motioned for adjournment Mr. Wolterman offered a second and the roll was called:

- Mr. Fiedeldey "Aye"
- Mr. Ritter "Aye"
- Mr. Wolterman "Aye"

  
Fiscal Officer

  
Trustee

  
Trustee

  
Trustee