

Held _____

October 27, 2009

OPENING OF MEETING

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

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of pending litigation and employment and the negotiation of collective bargaining agreements.

At 6:01 PM, Mr. Fiedeldey made a motion to enter Executive Session and Mr. Ritter offered the second. No discussion and the roll was called:

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

Mr. Ritter reconvened the meeting at 7:15 PM. Mr. Reuter said no decisions or actions were made in Executive Session.

INVOCATION

Mr. Ritter offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in September 2009:

- 75 cases were assigned to the Sheriff's Criminal Investigation Section and 60 were closed, with \$11,380.00 in stolen property recovered.
- 3 D.U.I. arrests by County contract and non contract Deputies
- 90 citations were issued by Hamilton County Sheriff's Office Colerain contract cars. 59 cites by non contract Deputies with a total of 149.

Police Chief Meloy said the Township's department issued 355 citations with 14 arrests for DUI.

TRUSTEE REPORTS**MR. FIEDELDEY**

Mr. Fiedeldey said that the Hamilton County Township Association has previously appointed a Colerain Township Trustee to the Hamilton County Solid Waste Policy Committee. With him leaving the Board, they will need a new representative. He said the committee meets every other month.

MR. WOLTERMAN

No report.

MR. RITTER

Mr. Ritter asked Chief Smith to give an update on Rumpke. Chief Smith said they have noted an increase in temperature in a third well and a decrease in one of the original wells. He said there is also a depression in that area, about 300 feet in diameter and dropped 3-4 feet. He said that some rapid oxidation is

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causing degeneration. He said there is also a crack along the top of mountain, about 500 feet long and 6 inches wide. Rumpke is stockpiling material at the top of the area, so if there is a need, it is staged there. He said they have installed a line along the toe of the slope, pulling air off of the area. There has been a decrease in odors because of this. He said we will continue to monitor this.

Mr. Ritter asked about "dewatering the wells." Chief Smith said the normal process of decomposition produces methane. If you don't remove the methane, it will find its own way out. This can end up with odors and other nuisances. If you don't draw the gas off it can migrate. Some odors that spiked one to two months ago were probably due to not drawing the gas off. So to get a well up and running, water is collected out of the well, but if this is done too quickly, it can increase air movement which increases heat that can lead to spontaneous combustion or some other oxidation process. That is why it is necessary to dewater wells.

CITIZEN ADDRESS

Mike Kaine of the Census Bureau said they are preparing for the 2010 census. He said this is a monumental event and they are looking to government, businesses, and faith-based organizations for help to get the word out, to encourage everyone to fill-out questionnaires and get those returned. He said it is important to have an accurate count because some funding is based on those census counts.

Mr. Ritter said we will have flyers at the front desk, and possibly put something in newsletter and on the website.

Mr. Kaine said the forms go out in March and urged everyone to send them back in a timely manner.

Rhonda Rohrig of 12104 Pippin Road said that Friday morning, a boy got hit by car at the intersection of Pippin and Kemper roads. She said the boy was crossing in the cross walk, but it was just too dark for the motorist to see him. Ms. Rohrig said they spent a lot of money to re-do this intersection in 2001, but didn't put a light over the cross walk. This is a dangerous intersection and it's the intersection that students use to get to Pleasant Run Elementary. This time of year, students are walking to school in the dark.

Mr. Ritter said he spoke with Mr. Foglesong about this today.

Mr. Foglesong showed a diagram of the intersection. He said we have asked Duke Energy to assess if we can get a street light there and the costs. He said we must have secondary power available.

Mr. Ritter said we have a question pending with Duke and should have an answer by the next meeting, November 10.

Ms. Rohrig said we need a street light here right away. This is a top priority.

Mr. Fiedelvey said these are both county roads. Why wouldn't the county put in the light? The engineer needs to provide a safe way for kids to get to school.

Mr. Fiedelvey suggested a "no turn on red" sign be installed. He also asked if the walk/don't walk is in synch with the light.

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Kathy Mohr of 11986 Waldon Drive asked for follow-up on the March 12th minutes she asked about at the last meeting Mr. Ritter said we are making the change. Ms. Mohr applauded.

Jonda Kirtley of 12140 Birchgrove Court said that was her son who got hit because there was no light over the crosswalk. She will do anything to be sure this doesn't happen to another child. Her son now has a fear of moving vehicles

UNFINISHED BUSINESS

POLICE DEPARTMENT

Fueling

Chief Meloy said that at the October 13, 2009, meeting the Departments were provided information through the Board that we can utilize the Sheriff's office fueling station until the approval and construction of the Township's facility. In working out the details, he learned the Sheriff's Office is unclear on our approval to use the station. He asked the Board for clarification that we may use the sheriff's station, until our fueling station is complete and that we can use the facility from the Sheriff's office as needed and not as the sole fuel provider.

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

Heritage Park Improvements

Mr. Schwartzhoff requested the Board approve an expenditure of \$18,956 for Heritage Park improvements. He said they will plant 59 trees in various locations in the park. The list of the types of trees was developed by Tom Bosarge, Township Arborist, and Wendy Van Buren, ODNR Urban Forester. The majorities of trees are native to Ohio or have done well in our climate. The bid accepted for the trees was \$13,392 from Jeffrey Allen. We will also purchase gator bags for \$1,250. They will also install a 16x12 storage building adjacent to the current office. This will cost \$3,804 with \$150 for the limestone base.

Mr. Wolterman asked if this meets zoning requirements. Dr. Roschke indicated that it does.

Mr. Ritter asked why we were using the money on the trees. Mr. Schwartzhoff said this was the last of his needs.

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

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

ZONING

Breedshill Complaint Update

Dr. Roschke said that a team inspection was held on October 14, with representation from Planning & Zoning, Fire, Police, and Health. A total of 6 officials were on site. We were able to speak with the tenant who came outside to explain his situation.

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Fire Captain Mark Walsh explained that the generator was not hooked up properly and would have to be removed. He then called the landlord, who arranged to have the power restored and the generator removed.

Sanitarian Luke Jacobs, Inspector Pat Dilbert, and I then toured the rear yard. A very small amount of dog waste was found. No odor was detected. The tenant was given a copy of the instructions for dealing with dog waste, as Jacobs had given him following the complaint earlier in the year. He again agreed to continue following these instructions.

The generator was shut down and the power restored as of Friday afternoon.

Mr. Fiedeldey complimented all of those who helped get this done.

ADMINISTRATION

Safe Route to School Grant Resolution

Mr. Foglesong read Resolution 52-09, Enacting Safe Routes to School Grant Project.

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

Mr. Fiedeldey said it's about \$36/linear foot for this. Mr. McClain said that off the cuff, yes, this estimate is comfortable for him.

The roll was called:

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

KKG Update

Mr. Foglesong said he received this information today. He provided the GANT chart to the Board. He said KKG proposes three public meetings; the first is scheduled for latter part of November. He said this is the first response on progress. Frank Birkenhauer is the lead on this.

Mr. Fiedeldey said he is okay with this.

Mr. Ritter said he is happy to have a schedule. He said he is supportive of the process moving forward and that the timeline promotes a certain amount of accountability.

When asked, Mr. Wolterman stated that it's methodic; it needs to be done; there's a lot of background to be gotten to move forward in a responsible way and to get the desired effect.

MSD Update

Mr. Foglesong said he received the information while in Executive Session. He will copy it for the Board, for discussion at the next meeting.

NEW BUSINESS

POLICE DEPARTMENT

Vehicles to Auction

Chief Meloy read Resolution 53-09, Disposal by Sale of Vehicles Which Are Obsolete, Unfit, or Unneeded for Public Use (O.R.C. Sec 505.10)

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

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

Department of Public Safety Grant

Chief Meloy said the Ohio Department of Public Safety approved the Colerain Police Department's request for funding to increase officer presence and enforcement to reduce traffic fatalities in the Colerain Township area. This is the third year of our receiving this grant and the 2010 grant amount is \$27,771.45.

PUBLIC WORKS

Snow Removal – Unaccepted Streets

Mr. McClain said that if the Board wishes to have the snow and ice removed on unaccepted streets as we have in the past, he recommends the Board approve the procedure used in past years. Mr. McClain read Resolution 54-09, Snow Removal on Unaccepted Streets.

Mr. McClain said there are four developers who have not paid last year's fees. He is working to collect that money. If necessary, we will place a lien on the property tax bill.

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

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

PARKS & SERVICES

Memorial Trees

Mr. Schwartzhoff requested the Board accept the donation of two memorial trees:

- In Colerain Park, a Dawn Redwood to be planted in memory of Ed Straub by Barb, Brian, and Jennifer Clinger and family
- In Clippard Park, a Pin Oak to be planted in memory of Don Farrell by family, friends, and neighbors.

Jack Rahn approached the Board to say that they are donating this tree in Don Farrell's memory. Don was excited about this park and attended the early planning meetings.

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

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

ZONING

Nuisance Resolution

Dr. Roschke read Resolution 55-09, Nuisance Abatement.

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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Request to Set Public Hearing ZA 2009-01

Dr. Roschke requested the Board set a public hearing for ZA2009-01, Prechtel Road Planned District – Residential on November 24, 2009, at 8:30PM.

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

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

APPROVAL OF MINUTES

Mr. Ritter asked about the March 12, 2009, regular meeting minutes. Mr. Reuter said the ORC citation is incorrect. The correct citation is 2921.42.

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

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

Mr. Ritter asked for corrections to the October 13, 2009, regular meeting minutes. There were none.

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

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

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 has recorded the following receipts:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
587-2009	State of Ohio	Rollbacks & Homestead	894,831.38
588-2009	Council on Aging	COA	10,332.62
589-2009	Medicare	Medicare B Payments	59,053.06
590-2009	State of Ohio	Park Grant	163,350.00
591-2009	State of Ohio	Liquor Permits	55,215.30
592-2009	Star Ohio	Investment Star	441.18
593-2009	Fifth Third	Red 3 Interest	359.59
594-2009	Fifth Third	Red 1 Interest	359.59
595-2009	Fifth Third Bank	Gen Interest	262.90
596-2009	Fifth Third Bank	Now Interest	1,167.69

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597-2009	Fire & EMS	CPR Classes, Day Care, Foster Care	140.00
598-2009	Senior & Comm Ctr.	Prog Fees, PD Don, Lunch	48.75
599-2009	Parks & Services	Recycling, Summer Camp	57.00
600-2009	Planning & Zoning	Certificates, Other	1,215.00
601-2009	Fire & EMS	CTTC Rent, Tower Usage, Reimb Fire Command, Reimb Drugs, Cell Calls, Reports, CPR Classes, Signs, Refund T-Mobile, Donation, Reimb ACLS	8,058.31
602-2009	Fire & EMS	EMS Billings	3,384.63
603-2009	Public Works	Jury Duty reimb	5.00
604-2009	Public Works	Permits	9.00
605-2009	Police Dept.	Court Reimb	60.00
606-2009	Police Dept.	Court Reimb	48.00
607-2009	Police Dept.	Juvenile Traffic Fines	56.50
608-2009	Monty Reid	Postage Reimb.	0.44
609-2009	Police Dept.	Salaries	3,405.28
610-2009	Planning & Zoning	Certificates	135.00
611-2009	Police Dept.	Northwest Contract	8,210.07
612-2009	Police Dept.	Drug Test Reimb	200.00
613-2009	Hamilton County Auditor	20% Monies	41,636.00
614-2009	Fire & EMS	Postage Reimb	1.35
615-2009	Police Dept.	Cruiser Reimb	503.88
616-2009	Police Dept.	Drug Forfeiture	630.00
617-2009	Police Dept.	Cruiser Sale	1,127.00
618-2009	Police Dept.	Cruiser Sale	1,567.00
619-2009	Police Dept.	Cruiser Sale	1,617.00
620-2009	Police Dept.	State Parking Fines	136.00
621-2009	Police Dept.	Drug & DUI Fines	463.87
622-2009	Police Dept	Immobilization Non-Compliance Fee	100.00
623-2009	Senior & Comm Ctr.	Prog Fees, Rent Eve Dep, Lunch, Refreshments	404.75
624-2009	Senior & Comm. Ctr.	Prog Fees, Rm Rent Fee, HDM Don, Tran Don, Lunch	736.73
625-2009	Police Dept.	Forfeited Funds	1,463.00
626-2009	Administration	Postage Reimb from PD	0.00
627-2009	Administration	Postage Reimb from PK	0.00
628-2009	Palmetto - Medicare	Medicare	47,472.18
629-2009	Dept. of Justice	DOJ	815.40
630-2009	Council on Aging	COA	10,119.50
631-2009	State of Ohio	Homestead & Rollback Manufactured Homes	336.35
632-2009	Fifth Third	Invest Red 1 Interest	371.58

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633-2009	Fifth Third	Investment Green Int.	20,000.00
634-2009	Fifth Third	Investment Red 3 Int.	371.58
635-2009	Star Ohio	Investment Star Int.	387.13
636-2009	Fifth Third Bank	Now Interest	1,106.57
637-2009	Fifth Third Bank	Gen Interest	729.93
638-2009	Hamilton County Auditor	Permissive Aug	38,180.00
639-2009	Hamilton County Auditor	Estate Tax Advance 1 st Half 2010	164,000 00
640-2009	Hamilton County Auditor	TPP Reimb, Pub Utility Reimb, Excess Pub Utility Reimb	577,438 06
641-2009	Hamilton County Auditor	Permissive Sept.	39,132.00
642-2009	Hamilton County Auditor	Motor Veh Sept, Local Gov Hgwy Oct, LDG Oct, Fin Inst Oct.	75,333 68
643-2009	Star Ohio	Investment Sept Int	363.69
644-2009	Star Ohio	Investment Oct Int	332.31
645-2009	Palmetto – Medicare	Medicare Sept.	29,287.57
646-2009	Council on Aging	COA Sept.	9,304.62
647-2009	Sale of Note	Sale of Note	1,000,050.10
648-2009	Fifth Third	Investment Red 1 Int	371.58
649-2009	Fifth Third	Investment Purple Int.	23,750.00
650-2009	Fifth Third	Investment Burgundy Int	25,000.00
651-2009	Fifth Third	Investment Red 3 Int.	371.58
652-2009	Fifth Third	Investment Navy Int.	23,500.00
653-2009	Fifth Third Bank	Gen Int	930.89
654-2009	Fifth Third Bank	Now Int	986.03

Mrs. Harlow requested the Board increase the appropriations for the Police Department, line 2261-210-599 by \$15,000. She said that the revenue in this line, the drug forfeiture line, has exceeded what was originally budgeted. Chief Meloy said that when we get those funds in, we need to send a percentage to the prosecutor.

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 said she received a notice from the Ohio Division of Liquor Control that the transfer of ownership application for Landsharx LLC DBA Twisted Sisters Tavern, 3210 Springdale Road, has been canceled.

Mr. Ritter asked Mrs. Harlow if we have implemented the recommendations from the audit. Mrs. Harlow said we have implemented the separation of duties recommendations and the policy recommendations are in the process. Mr. Foglesong confirmed those will be complete by year's end.

Mr. Wolterman said he did have a conversation about nuisance complaints with Rep. Lou Blessing. He said we are going to try to get him some language to avoid going through the process multiple times on the same property. We should be able to go through the continuum of the growing season. We must

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come up with correct language to monitor and correct the situation and we will be working with Lou Blessing to correct the situation.

ADJOURNMENT

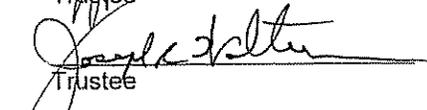
With no further business to come before the Board, at 8:22 PM, Mr. Fiedeldey motioned for adjournment. Mr. Wolterman offered a second

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


 Fiscal Officer


 Trustee


 Trustee


 Trustee