

Held _____

December 8, 2009

OPENING OF MEETING

Mr. Wolterman called the meeting to order at 6:00 PM. Mr. Fiedeldey and Mrs. Harlow were in attendance. Mr. Ritter was absent due to a medical issue.

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing the negotiation of collective bargaining agreements, pending and imminent litigation and the possible purchase of property.

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

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

Mr. Fiedeldey made a motion to invite Trustee-elect Dennis Deters into Executive Session. Mr. Wolterman offered the second. No discussion and the roll was called:

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

Mr. Wolterman reconvened the meeting at 7:01 PM. Mr. Reuter said no decisions or actions were made in Executive Session.

INVOCATION

Mr. Wolterman offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

APPROVAL OF MINUTES

Mr. Wolterman said the Board would postpone the approval of the minutes.

POLICE REPORTS

The Hamilton County Sheriff's Office and Township statistics will be available at the next meeting.

TRUSTEE REPORTS**MR. FIEDELDEY**

Mr. Fiedeldey noted that this is his last meeting. He said it has been an interesting past 8 years. He has found it really fulfilling. He said the biggest thing is the number of people you meet and friendships formed, some of which will be life-long. He said that people want us to do the best we can. We are not always successful, but as long as people know you're trying. He thanked department heads and said they all do a great job. All do well with what they have.

He wished everyone a Merry Christmas and Happy New Year. He said to keep people in the military in your prayers.

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He welcomed Mr. Dennis Deters and said he is sure Mr. Deters will do a great job.

MR. WOLTERMAN

Mr. Wolterman said that traffic was backed up considerably on Colerain Avenue on Saturday at 3PM. He feared this was caused by the preemption system. Chief Smith said traffic flow was very heavy and there was an accident at Colerain and I-275. He explained that the preemption should kick off after three minutes and it appears this may not have happened. He said they will have the preemption system checked. Mr. Wolterman said the Stone Creek lights do not allow all traffic to get through.

Mr. Wolterman asked Chief Meloy about the Metro bus parked. Chief Meloy said they have contacted Metro.

Mr. Wolterman wished everyone a Merry Christmas, Happy Hanukkah and a Blessed 2010.

CITIZEN ADDRESS

Kathy Mohr at 11986 Waldon Drive said she was reviewing property tax bills and asked the Board about the tax bill for the donated property on Poole Road. She said the bill from two years ago says we owe \$2,000. How much do we actually owe?

Mr. Reuter said the property is subject to an application of exemption and they remit the three prior years of taxes to be included. He said it takes many months for the application to be processed and approved. He said we are expecting the full balance will be remitted. He said the only taxes we would owe are those before the deed transfer.

Ms. Mohr said Mr. Fiedeldej made motions at Trustee meetings that we will accept the property if there are no back taxes and then later if there is no more than certain amounts. Now, we will owe \$1400. What now? Will the Board need to abide by this?

Mr. Reuter said this responsibility would be his to ensure the Board's direction is followed.

Ms. Mohr said that we paid \$500, but haven't paid anything else.

Mr. Reuter said it is better to owe than to pay it and try to get back.

Mr. Wolterman asked Mr. Reuter to memo the Board

Ms. Mohr asked about the minutes of October 13, 2009. The minutes show Mr. Ritter opening the meeting but have him as voting "absent" to go into Executive Session. She said she spoke with Mrs. Harlow before the meeting and Mrs. Harlow explained that she used a template and must have picked up old information. Ms. Mohr asked how could this happen. Did anyone read them? Mr. Wolterman said that they review much material.

Nancy Lindemood of Squirrelsnest Lane approached the Board seeking updates on the status of the landfill fire as the last website update was on October 28.

Chief Smith said there have been no major changes as the well head temperatures are stable. He said there was a recent conference call to consider

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circumstances and create a document to present to Rumpke, laying out what the regulatory agencies want to see over the course of future months, including contingency issues, etc. The US EPA has created a website, which will be updated periodically. He said they are applying clay over a large area to help control odors and the Health Department and environmental services is in regular communication with Rumpke.

Mrs. Lindemood asked if there is an above ground fire. Chief Smith said there is not an above ground fire. There is no smoke, no odor of smoke, or fire that is visible. He said the rapid decomposition or oxidation is taking place deep inside the mass.

Mrs. Lindemood asked about the gas plant operations. Chief Smith said there is speculation about what may have caused this, but no one can say for certain.

Mrs. Lindemood said she would like to see in emergency plans, what the plan is to inform the public. Right now, it seems limited in what we're allowed to know. Chief Smith said that he can't speak to this as he does not know what other agencies have established or how they plan to communicate to residents. If it's Colerain Township doing the communicating, it will be through the media. The EPA website previously referenced is intended to provide citizens with current information.

Ralph Sandoz, former Township Trustee, said it is uplifting to come to this meeting. He said you can turn on the TV and listen to what they are doing in Washington. They don't know what the hell they are doing, but this outfit does it right.

UNFINISHED BUSINESS

PUBLIC WORKS

Belhaven / Flamingo Lane Reconstruction Project

Mr. McClain recommended the Board award the Belhaven Drive/Flamingo Lane Reconstruction Project Contract 09-5 to the Fred A. Nemann Co. for an amount not to exceed \$358,682.39, as the lowest bidder that met specifications. The OPWC grant will cover 70% at \$251,077.67 and the Township portion will be \$107,604.72.

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

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

Geraldine Drive Reconstruction SCIP Application Update

Mr. McClain said their highest priority, the 2009 State Capital Improvement Program (SCIP) Grant Application for the reconstruction of Geraldine Drive, received a very high score and has potential to be approved in 2010 with residual funding. He said his department will be working with the County Engineer's Office to obtain Statements of Qualifications from engineering firms for the engineering of the project. He will come back to the Board with the results and a recommendation.

ZONING

ZA2009-01 Journalization

Dr. Roschke read Resolution 62-09, "Case ZA2009-01, Prechtel Road Planned District – Residential "

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

Mr. Wolterman. "Aye"

Mr. Fiedeldey. "Aye"

LEGAL

FOP Contacts

Mr. Reuter said that David Foglesong, Frank Birkenhauer, and he have been negotiating successor collective bargaining agreements with the township's public employee unions. We have the two FOP contracts ready for the Board's approval.

The Sergeants' contract includes a differential between highest paid patrol officer of 13%, employee share of health care costs increased to 17% each of the three years of the contract. He requested the Board approve this agreement, effective November 1, 2009 to October 31, 2012, noting that it is retroactive to November 1, 2009.

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

Mr. Fiedeldey. "Aye"

Mr. Wolterman. "Aye"

Mr. Reuter said the FOP patrol officer's contract negotiations were at an impasse and in accordance with SERB procedures, was scheduled for fact finding on December 4, 2009. He said there were three issues: wages, health insurance, and retroactivity. Prior to the start of the fact finding hearing, the fact finder, Mr. Frank Keenan, conducted a mediation, which resulted in a settlement agreement. The agreement was a wage increase of 2.25% the first year, 2.5% for the second year, and 2.75% for the third year. The employees' share of the health insurance will be 15% the first year, 15% the second year, and 17% the third year. They agreed the contract will be retroactive to November 1, 2009. Mr. Keenan incorporated the agreement into a formal fact finder's report, but Mr. Reuter discovered an error in the report. Specifically, the fact finder didn't include the agreed language in Article 17 relating to the employees' share being a percentage not just of the premium, but of the total cost of health insurance program.

Mr. Reuter requested the Board approve the agreement as negotiated, which included the "total cost" language added to the health care article. Second, Mr. Reuter requested the Board accept the report of the fact finder, subject to the substantive error being corrected. He said the union will be holding ratification votes tomorrow and Thursday.

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

Mr. Fiedeldey. "Aye"

Mr. Wolterman. "Aye"

Mr. Fiedeldey made a motion to strike the previous vote and Mr. Wolterman offered the second. The roll was called:

Mr. Fiedeldey. "Aye"

Mr. Wolterman. "Aye"

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

Mr. Fiedeldey. "Aye"

Mr. Wolterman. "Aye"

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Mr. Fiedeldey made a motion to accept the recommendation of the fact finder, subject to the inclusion of the total cost of programs in Article 17 and Mr. Wolterman offered the second. The roll was called:

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

ADMINISTRATION

Skyline Center Renovation Bid Award

Mr. Foglesong requested the Board award the bid for interior renovations of Skyline Community Center to KD Contracting Services, LLC, in the amount of \$58,999 and accept Alternate 1, corridor painting for \$2,153. He said the funding of the renovation will be paid for with federal stimulus money from the American Recovery and Reinvestment Act and distributed to Colerain Township by the Hamilton County Department of Community Development. All bid bonds, MBE, and prevailing wage were included per bid specifications.

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

Mr. Fiedeldey asked if we will generate an AIA contract. Mr. Reuter said this will happen.

The roll was called:

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

2010 Temporary Appropriations

Mr. Foglesong read the temporary appropriations in summary form.

FUND ACCOUNT NUMBER	NAME	TEMPORARY APPRO. AMOUNT
1000	GENERAL	\$ 8,439,950.00
2011	MVLT	\$ 36,000.00
2021	GASOLINE	\$ 320,000.00
2031	ROAD & BRIDGE	\$ 1,200,000.00
2081	POLICE DISTRICT	\$ 5,185,022.00
2111	FIRE DISTRICT	\$ 13,059,000.00
2141	ROAD DISTRICT	\$ -
2181	ZONING	\$ 496,600.00
2231	PMVLT	\$ 450,000.00
2261	PD DRUG ENFORCEMENT	\$ 34,000.00
2271	PD DUI	\$ 4,300.00
2281	EMSS	\$ 1,000,000.00
2901	NGM TIF/ Target TIF after 2000	\$ 200,100.00
2902	RECYCLING INCENTIVE	\$ 43,600.00
2903	COLERAIN SQUARE TIF	\$ 530,310.44
2904	PROJECT IMPACT FEMA	\$ -
2905	HMPG	\$ 33,911.82
2906	FEMA -snow	\$ -
2907	Stone Creek TIF	\$ 900,000.00

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2908	CDBG (pass through)	\$ 80,000.00
2910	Best Buy TIF	\$ 30,000.00
3101	BOND RETIREMENT(GOV BLDG)	\$ 108,910.00
3102	BOND RETIREMENT(PARKS)	\$ 314,560.00
3103	BOND RETIREMENT(PW BLDG)	\$ 222,450.00
3301	BOND RETIREMENT(FIRE DIST)	\$ 250,267.50
2401	LIGHTING ASSESMENTS	\$ 157,000.00
4402	SCIP (Allet Ave.)(pass through)	\$ -
4403	SCIP (Bellhaven)(pass through)	\$ -
	TOTAL	\$ 33,095,981.76

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

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

Pippin / Kemper Street Light

Mr. Foglesong said this is on hold to regard the School District. The School District met in a work session on November 30. While the street light was discussed, there was no vote taken as this was only a work session. The next work session is January 4, with the next regular meeting on January 21, where a vote might be taken

Mr. Fiedeldey said we're waiting for the school board, but we should let this play out

Mr. Wolterman said it behooves us to come up with a resolution. He said we need to move forward. He asked if we have sent a formal letter to the school district asking that they establish a lighting district that we can extend. He asked Mr. Reuter if we can form a lighting district. Mr. Reuter said the school district might be too far from the intersection to be assessed. Mr. Foglesong said it can't be more than 600 feet

Mr. Wolterman would like to send the school board a formal letter, requesting they look at paying 50% of the installation and 50% of the annual fee for providing the light. Mr. Foglesong said he can draft this, but it would be appropriate for the Board to sign it.

NEW BUSINESS

FIRE DEPARTMENT

Pay Rate Changes

Chief Smith requested the Board approve the following part-time pay rate changes:

Name	New Rank	New Rate/hour	Effective Date
Bryan T. Lynch	FF/EMT/FAO	\$14.08	12-03-09
Justin Bell	FF/Medic/FAO	\$15.38	11-24-09

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

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

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Pay Journalization

Chief Smith said he had pay journalizations to present to the Fiscal Officer:

Name	New Rate/hour	Effective Date
Scott Becker	\$18.96	11-18-09
Nicholas Hauser	\$24.59	11-28-09
David Strittholt	\$18.96	11-18-09

POLICE DEPARTMENT

Motorcycle Purchase

Chief Meloy requested the Board purchase a 2010 Harley Davidson Electra Glide police motorcycle from Tri-County Harley Davidson. The Police Department cost for the motorcycle and graphics is \$2,728.

In response to Mr. Fiedeldey's questions, Chief Meloy said this is a replacement for the current motorcycle and they are trading the old one in.

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

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

PUBLIC WORKS

Pay Rate for Casual Employees

Mr. McClain said their casual snow and ice removal employees supplement the full-time employees and are an intricate and invaluable part of the department's winter operations. Mr. McClain requested the Board approve their new pay rates.

Name	Date of Hire	Has CDL?	New Rate/hour
Greg C. Hardig	1978	Yes	\$17.50
Robert L. Gentry	2-13-05	Yes	\$13.00
Daniel L. Poettker	1-13-09	Yes	\$13.00
Jeff Rack	1-13-09	Yes	\$13.00
Gary Martin	12-11-08	Yes	\$13.00
Joe Farler	1-13-09	Yes	\$13.00
John R. Smith	Effective 12-14-09	Yes	\$12.00
Kenny Caddell	5-23-06	No, operates a 1-ton truck	\$11.50
Wes Davidson	Effective 12-14-09	No, operates a 1-ton truck	\$11.00

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

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

Pay Journalization

Mr. McClain said the department has three employees scheduled for a step increase, in accordance with the collective bargaining agreement:

- Kraig J. Rieman to Maintenance Worker I (classification 2-A), effective December 28, 2009,
- Paul L. Schwab II to Maintenance Worker II (Classification 3-A), effective January 3, 2010, and
- Daniel R. Schulte to Maintenance Worker II (Classification 3-A), effective January 29, 2010

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Regarding the unexpected snow fall yesterday, Mr. Wolterman asked about delay by county because of lack of salt. He asked if county roads will be taken care of. Mr. McClain said the Engineer announced at this year's Annual Snow Summit that although the County will not be using the bottom ash as last year and will be using straight salt, it will not be as much as in years past.

Mr. Wolterman asked how we can convince the Engineer to do his job. Mr. McClain said that there have been times when it's been treacherous for our salt trucks that need to traverse the hills on County roads to get to our subdivisions. We have had to treat the County streets when needed.

Mr. Wolterman asked if it would behoove us to have Mr. Hubbard here to have him answer questions? Mr. McClain said that we can express our concerns to the County but we need to insure that we are following due process by insuring that the Police are notifying the Communication Center to initiate the general call out. Chief Meloy said that this is what we did yesterday and slid off the street, responding to a reported accident with injuries.

Mr. Wolterman said we need to ensure the Engineer provides the services to our Township citizens.

Mr. McClain said the County's use of the bottom ash has ended and the County is to be using straight salt.

ZONING

Nuisance Resolution

Dr. Roschke read Resolution 63-09, "Nuisance Abatement."

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

Mr. Fiedeldey. "Aye"

Mr. Wolterman. "Aye"

Conservation Resolution

Dr. Roschke read Resolution 64-09, "Resolution on Conservation and Energy Efficiency."

This failed for lack of a motion.

Mr. Fiedeldey said there is a long list of various things. He feels we should not have "sprawl" in the resolution. Mr. Wolterman stated that one person's sprawl is another's development. Mr. Fiedeldey asked about other matters which were addressed with the updated resolution as he had been working from an older draft.

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

Mr. Wolterman. "Aye"

Mr. Fiedeldey. "Aye"

ADMINISTRATION

2010 Property and Casualty Insurance

Mr. Foglesong requested the Board approve the 2010 renewal for the OTARMA contribution for property and liability coverage, in the amount of \$217,871. He noted we received a \$31,157 VIP credit.

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

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

Health Care Resolution

Mr. Reuter read Resolution 65-09, "Establishing Trustees' and Fiscal Officer's Compensation."

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

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

2010 Meeting Schedule

Mr. Foglesong requested the Board approve the 2010 meeting schedule.

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

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

2010 Holiday Schedule

Mr. Foglesong requested the Board approve the 2010 holiday schedule for non-contract employees.

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

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

The Fiscal Officer has recorded the following receipts:

REC	VENDOR	FOR	AMOUNT
694-2009	Fire & EMS Dept.	Plan Review	70.00
695-2009	Planning & Zoning Dept.	Certificates	1,238.00
696-2009	Planning & Zoning Dept.	Certificates, BZA	570.00
697-2009	Senior & Comm. Ctr.	Prog Fees, Lunch	120.50
698-2009	Parks & Services	Paper Recycling	61.39
699-2009	Police Dept.	Court Reimb	36.00
700-2009	Police Dept.	Vehicle Sale at ADESA	555.00
701-2009	Police Dept.	Salaries	8,224.69

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702-2009	Senior & Comm. Ctr.	Prog Fees, PC Don, HDM Don, Lunch	95.00
703-2009	Fire & EMS Dept.	Cell Calls, CPR Class, Signs, Donation, Reports, Training Reimb, Fingerprints, Capital Credit Fund	1,946.93
704-2009	Fire & EMS Dept.	EMS Billing	2,370.59
705-2009	Police Dept.	Court Reimb.	42.00
706-2009	Police Dept.	Juvenile Traffic Fines	55.50
707-2009	D. Foglesong & F. Birkenhauer	Cell Calls	43.00
708-2009	Rumpke Sanitary Landfill	Solid Waste Disposal Fee Oct	67,719.24
709-2009	Central Insurance Companies	Demolition Funds	11,676.00
710-2009	Fire & EMS Dept.	Plan Reviews, Foster Care, Inspection Fees	610.00
711-2009	Hamilton County Auditor	Oct Municipal Court Fines	3,506.45
712-2009	Hamilton County Auditor	Aug Tipping Fee	538.95
713-2009	Hamilton County Auditor	Third Qtr Lodging Tax	1,501.36
714-2009	Hamilton County Auditor	Oct Motor Veh, Nov Local Gov Hgwy, Lgr Nov	74,534.36
715-2009	Hamilton County Auditor	Oct permissive Motor Veh, TPP Reimb	492,159.84

Mrs. Harlow requested the Board approve a cash transfer of \$100,000 from the general fund (1000-910-910-0400) to zoning (2181-931-000).

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

Mr. Wolterman. "Aye"

Mr. Fiedeldey. "Aye"

Mrs. Harlow requested the Board return the funds advanced from the general fund to the lighting district fund. She requested the Board take \$50,000 from Lighting Districts Advances Out (2401-920-920-0098) and adjust that to general fund transfers in (1000-941-0000). She also requested the Board increase the appropriations in the 2401-920-920-0098.

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

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

Mrs. Harlow requested the Board increase the appropriations in the Stone Creek TIF line in the amount of \$3,574.42. This is to cover the auditor and treasurer fees. Mr. Fiedeldey made such motion and Mr. Wolterman offered the second. The roll was called:

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

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

- Take \$716.18 from 1000-990-990-0000 (other financing uses) to 1000-930-930-0000 (contingencies).
- Take \$2,235 from 1000-110-381-0000 (property insurance) and adjust to 1000-110-382-0000 (liability insurance premium).
- Take \$249 from 1000-110-381-0000 (property insurance) and adjust to 1000-110-382-0008 (liability insurance premium – general liability)
- Take \$494 from 2081-210-389-0000 (other insurance and bonding) to 2081-210-382-0000 liability insurance premium
- Take \$251 from 2081-210-190-0000 (salaries) to 2081-210-389-0000 (other insurance and bonding).

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

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

Mr. Wolterman thanked Mr. Fiedeldey for his service. He wished him God's speed. Enjoy your retirement.

ADJOURNMENT

With no further business to come before the Board, at 8:28 PM, Mr. Fiedeldey motioned for adjournment Mr. Wolterman offered a second.

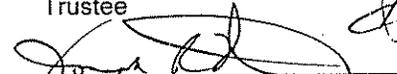
- Mr. Fiedeldey. "Aye"
- Mr. Wolterman. "Aye"


 Fiscal Officer

NOT PRESENT
 JZC

 Trustee


 Trustee


 Trustee