

Held _____

October 12, 2010

OPENING OF MEETING

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

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing pending litigation and the negotiation of a public contract.

At 6:00 PM, Mr. Wolterman made a motion to enter Executive Session and Mr. Ritter offered the second. No discussion and the roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Mr. Deters reconvened the meeting at 7:00 PM. Mr. Reuter said no decisions or actions were made in Executive Session.

INVOCATION

Fire Department Chaplain Tyrone Patrick offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

Chief Smith said the Federation of Fire Chaplains conference is coming to the area later this month. He offered Resolution 61-10 for the Board's consideration.

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

APPROVAL OF MINUTES

Two sets of minutes were discussed for approval.

Mr. Deters asked for corrections to the August 31, 2010, special meeting minutes. Mr. Ritter asked for a rewording of what he said about the discussion of the cost saving initiative suggestions in the August 31 special meeting minutes. Mr. Ritter moved that the minutes be approved as amended. Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Mr. Deters asked for several corrections to the September 28 regular meeting minutes. Mr. Ritter and Mr. Deters asked for some clarifying insertions. Mr. Ritter moved that the minutes be approved as amended. Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

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PRESENTATIONS**5/3 Bank Refinancing – Mr. Brossart**

Mr. Brossart said that he met with Administration two months ago; and with the interest rates as they were then, it didn't make sense to refinance. Now, rates have gone down and it makes sense to look at this. He said the Township is rated very well with our credit rating.

He said the current rates of 3.83% are all time low bond rates. Our current rates are 4.99% for the building, park and fire bonds, 4.58% for the administration bonds, and 4.5% for the TIF revenue bonds. He said that we could realize an annual savings of \$49,127 if we refinance.

He explained that this is possible because we are now Home Rule and we can pull these together for sale as one unit, not five separate. This helps us significantly. If before we move forward, interest rates change, then we could put this on the shelf. The wide view is that rates wouldn't stay this low and we should not wait on this. He would like to get this done before the end of the year.

Mr. Wolterman asked if the refinance would change soon. Mr. Brossart said there is some volatility at the end of the year and rates could drive up. We only get one shot at this as the IRS only allows one refinance.

Mr. Wolterman asked if we would see savings of over \$500,000 total. Mr. Brossart said, yes, this is above the fees.

Mr. Deters asked about the time frame. Mr. Foglesong said if the Board gives the approval to proceed, Mr. Brossart will get with the bond counsel and it would be at least first of November before they come back with the resolution. Mr. Brossart said the resolution verbiage includes a "not to exceed" interest rate. So, we can pull back and wait if we don't like the number.

The Board agreed to move forward with the preliminary work.

PUBLIC HEARING – None**POLICE REPORTS**

Lt. Schoonover of the Hamilton County Sheriff's Office and Police Chief Meloy said that the statistics will be presented at the next meeting.

TRUSTEE REPORTS**MR. RITTER**

No report

MR. WOLTERMAN

Mr. Wolterman expressed congratulations to La Salle on their football team and recent win.

He stated Colerain Township has a fine Fire and EMS unit. You never know what will happen; His niece and nephew had a fire in their home; Colerain Township and other departments responded. Situations like this are a reminder to check the smoke detectors in our homes.

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MR. DETERS

Mr. Deters commended Parks and Services for Clippard Park, which officially opened a few days ago. He urged people to go out and see the park before the weather changes. It is a jewel for the park system. Congratulations to all involved.

CITIZEN ADDRESS

James Emmerson stated he has been watching Skyline Center develop with the construction. This process has been a nightmare. The electrician never comes back and paint is peeling off the walls on the new construction. He heard it was in litigation. Everyone is making promises and no one is stepping up to the plate. He wants to make sure someone comes up next week to get this finished. The contractor went belly up. He said they're at a standstill and it's getting uglier by the day. He wants a commitment that this will get started.

Mr. Deters said Mr. Birkenhauer was directing the project. Mr. Reuter said that all we know is that they are not responsive. They do have funds to finish the work that has not been completed. Mr. Deters asked about the direction of the project from here. Who is calling the shots on who comes in? Mr. Reuter said his job is to find the contractor to finish the work. Mr. Deters said there will be money left over after the bond is liquidated and we can fix the paint.

Mr. Emmerson is seeking a timetable for the completion of the project.

Mr. Reuter said it should be by the end of the month. Mr. Deters will speak to Mr. Birkenhauer and get back to Mr. Emmerson.

Mr. Emmerson said that once a year, the Skyline community acknowledges someone for their commitment to the community. Members see what everyone is doing in the community. Bernie Fiedeldey and Mr. Schwartzhoff were past recipients. He has no part of the selection but other board members find this person. This year's recipient is: Lt. Mark Schoonover of the Hamilton County Sheriff's Office.

Kathy Mohr of 11986 Waldon Drive asked if the minutes from the first meeting in July were approved. Mrs. Harlow will check on this. She also asked about the entertainment committee; this will be discussed later in the meeting.

Bernie Fiedeldey of East Miami River Road thanked the Board for allowing him to exercise his first amendment right. He reminded those attending that Colerain High School is looking forward to playing LaSalle.

He asked how we came out with the NSP funds and the hiring of the non-profits. Ms. Bancroft said revenue made does not exceed the expense of acquiring and improving the property, but that revenue is returned to the NSP pot to be used for further NSP projects. She said that today was the kick off for a Habitat for Humanity house on Pippin.

Mr. Fiedeldey said that at the end of June, first of July, a person jumped in the Great Miami River. The water was high and rushing hard. Rescuers tried to get the man out at Dravo Park; but ended up getting the jumper out behind Mr. Fiedeldey's home, which is three miles from Dravo. He said water rescue was waiting at Harrison Avenue. He said the fire department's flash lights were not sufficient to see him in the river and the rescue boat went past the man. Mr. Fiedeldey made lights from his pick-up truck and a blanket available to them. He said his and his family's homes are along the river. He does not feel the rescue people know what they're doing. They didn't have the proper equipment: lights and a blanket. The response time of two hours was too long.

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Chief Smith said there is no department that is better trained than Colerain Township; in fact, we instruct other departments in fast water rescue. He said they learned from this incident and have taken steps to correct any shortcomings. He said that in an incident, responders need to think anticipate where the victim might be on the river when they arrive. There were two boats sent to Harrison Avenue at Miamitown, one primary, one back-up. The proper people were in the boats. Crews also responded to Dravo, but the victim had already passed there. A boat motor wouldn't start, despite routine maintenance being performed. It is very hard to go in to that river in that stretch in the dark very quickly. The Fire Department is looking at other potential access sites. Chief Smith doesn't want to get additional people in harm's way. No other area department is better trained than Colerain Township in this discipline. We have certified instructors in fast water rescue. Rescuers must be methodical and quick to get the best possible outcome. It is important to recognize that the lighting wasn't sufficient. The Fire department is called when no one else can handle it. They might not always have everything in a perfect situation with perfect equipment.

Mr. Fiedeldey said it was two hours before the fire department came to his home. They went past the victim because they didn't have good lights. They're not trained on that fast water; he observed it. He has had 50 years on the water. They went past the man and had to be called back.

UNFINISHED BUSINESS

PARKS & SERVICES

Wert Park Master Plan

Mr. Schwartzhoff asked for approval to hire Kleingers & Associates to develop a master plan for the donated Wert property on E. Galbraith Road. Seven RFQ were received for the project and Kleingers was rated highest by four of the five evaluators and second best by one evaluator. The cost is \$10,450 for the master plan. Parks will also apply for grants (one in February) to allow for improvements.

Ritter asked about the other bids; Mr. Schwartzhoff said that one was for \$15,000 from another firm.

Mr. Wolterman said he has no problem. We have a piece of property we need to make available to the public, which is what the family wanted.

Mr. Ritter said this is a great example of making decisions in a vacuum. He will support it, but it is a discretionary expense and has to be weighed against the larger context of our budget and what we can afford.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Surveillance Camera

Mr. Schwartzhoff stated we have had some vandalism, but we need to do more than just prevent vandalism. He recommends we purchase a Smartview at a cost of \$19,065. Josh Campbell and Parks staff will do the installation with in-house labor. He said the video will be available on-line with a password as the DVR will record. Chief Meloy said they would review the video as needed.

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Mr. Wolterman commented on the vandalism of cameras themselves. Mr. Schwartzhoff said that there's been great success of catching vandals. Also, the cameras are vandalism resistant. Other communities have not had problem.

Mr. Deters asked for a timeframe; Mr. Schwartzhoff replied before December.

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

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

LEGAL

Dog Control

Mr. Reuter stated that Mr. Foglesong, Chief Meloy and he met with Harold Dates of SCPA on September 30. This issue is workable from the standpoint of local animal control regulations. He raised hope to get relief through an increased presence in the township. The SPCA functions as the dog warden in the county.

He said they sought an effective way to enforce leash law, as this will take a big step in the right direction. Mr. Dates said they only have three animal control workers on first and second shifts on the weekdays; and no one on weekends. The SPCA can't provide more than it already is. Mr. Dates discouraged bans on pit bulls for many reasons, especially difficult identifying breed and owner problems and the associated costs. His advice is not to be breed specific. It's not effective. The way to go forward is through enhanced registration measure. Other options are training and good citizenship classes. Mr. Reuter is still researching the matter and looking to see what other governments are doing. He will come back at a future meeting.

Mr. Deters acknowledged the hard work done on the original measure; he suggested looking at putting an appeals process in there.

ADMINISTRATION

Streetscape

Mr. Foglesong stated that in order to present an update on the status of the Streetscape project, it would be necessary to set up a special meeting for adequate time for KKG to present and to allow for input. He requested that the Board set a date and time for this special meeting.

Mr. Wolterman agreed that this update should be at a separate meeting. Mr. Ritter also stated that a special meeting is warranted and would like it to be sooner. Mr. Deters commented that we need sufficient lead time to make everyone aware. Mr. Foglesong will get potential dates to the Board.

Finance Advisory Committee

Mr. Foglesong stated that to-date only three responses were received as a result of the Ohio Township Association's dissemination of his request for information on the Financial Advisory/Audit Committees being operated by other townships. Only one of the three, Delhi Township, actually has such an organization. He stated that he learned that Springfield Township is redirecting their attention to the development of a township comprehensive plan.

Mr. Foglesong also sent out a request for a "spot survey" to be conducted through the Center for Local Government. He is still waiting for additional responses from other governmental agencies.

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He did a draft proposal for a Colerain Township Advisory Committee and provided copies to the Board, asking that they please review and offer comments.

Safe Route to School

At Mr. Birkenhauer's request, Mr. Foglesong reported that the Township received the RFQs back from the engineering firms and we are in the process of ranking the design firms to begin stage one planning. We have also received a contract from the County Engineers to manage the construction of the project.

Energy Conservation – House Bill 300

At Mr. Birkenhauer's request, Mr. Foglesong stated that the Township has received three proposals for the Energy Conservation program and will be conducting interviews next week. The committee hopes to bring a recommendation as to the contractor to the Board at the first meeting in November.

Solid Waste District

Mr. Foglesong said that he is following up on this. This is still in the informational state and he hopes for more information at the next meeting. Copies of the pertinent sections of the ORC were distributed with tonight's board meeting materials.

Special Events Timeline

Mr. Foglesong said that he and Mr. Schwartzhoff have prepared a timeline of the Summer Events Committee. He said they first knew a major sponsor would not participate in July. On August 23, the committee met with the event's treasurer and learned full impact. He feels that 2010 problems should be able to be eliminated for the future and the deficiencies were the result of counting on the money before it came in.

Mr. Ritter thanked Mr. Foglesong and said they have laid blame on sponsorships pulling out, but even if the sponsors had come through, the surplus would have been completely eroded. He still finds that to be a bad outcome. He said that we should take care of the remaining debt by the Township, with a provision that we will reorganize the committee and poll other communities to determine best practices. We can't leave vendors hanging unpaid and must have path to a more sane arrangement in the future.

Mr. Deters said his intention is to approve the funds as well. The Township has great summer events, but has some things wrong with them. We must have collaboration to come up with a better solution to budgeting and spending. We can't just hope the funds will come. The solution is to be sure the money will be there.

Mr. Wolterman said we need to get rid of masquerade that it's a separate event. It is Township employees doing the work. This is a fully functioning committee under the auspices of the Colerain Township Board of Trustees with conscripted employees that they do this work. He said that we must look at how we finance these and if we finance these. The 4th of July has never made money. We must be candid and look at it as a Township function. Mr. Schwartzhoff is chairman of the summer events committee and a trustee of the summer events committee, along with Mrs. Molter and Ms. Burns. This is a Township function and we need to look at how we do it. What's the value of the events? How do we continue to decide to sponsor these events? What's the mechanism to fund and promote these events? He said that we must discuss this within 90 days.

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Mr. Ritter agrees with timeline and current state as not acceptable. He said the balance was eroded by \$30,000 in 2009 and \$45,000 in 2010. He said for the 4th of July, entertainment started with the dedication of this building, prior was just fireworks. He said the duties of the trustee liaison are to give advice and counsel; one trustee's opinion might be different than the majority of the Board. Mr. Schwartzhoff is in a bad position to disagree with a trustee. Perhaps we should consider no entertainment for one or two years as an austerity measure.

Mr. Deters motioned to pay outstanding debts of the Summer Events not to exceed \$23,600, Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

NEW BUSINESS

FIRE DEPARTMENT

Donation Acceptance

Chief Smith asked for approval to accept a \$1,000 donation from Rumpke to benefit the Citizens Fire Academy and a \$500 donation from the Cincinnati Reds

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

ZONING DEPARTMENT

Nuisance Resolution

Ms. Bancroft read Resolution 62-10, "Nuisance Abatement."

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

ADMINISTRATION

Cost Reduction Follow-Up Meeting

Mr. Foglesong asked the Board about their interest in setting up a follow-up meeting on a cost reductions/operation efficiency presentation.

The question was raised as to whether it would be prudent to wait for the establishment of a financial advisory committee. Mr. Foglesong responded that temporary appropriations are usually approved in December.

Mr. Deters said it won't do damage to the timeline for the approval of the appropriations.

Mr. Foglesong will get dates together.

Mr. Ritter said they need to talk about the budget and appropriation process going forward as much as the end result of this specific exercise.

Waycross Community Media Presentation

Mr. Foglesong said three cameras are taping the meeting tonight from Waycross community meeting. They are doing this for October for no charge to allow the

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Township to evaluate their services. The video will be on-line only and government on demand. Because we are considering them as a government access provider, they will give a presentation on Oct 26 at 7PM.

FISCAL OFFICER REPORT

All financial reports are available for viewing at the Administration Office weekdays during regular business hours or can be requested from Mrs. Harlow by telephone or e-mail.

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts. Mr. Ritter made such motion and Mr. Wolterman offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mrs. Harlow requested two appropriation adjustments:

- \$5,000.00 from 1000-930-930-0000 (contingencies) to 1000-760-740-0000 (machinery, equipment, furniture).
- \$2,000.00 from 1000-110-330-0003 (travel and meeting expenses) to 1000-110-330-0002 (dues).

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mrs. Harlow said that she received a transfer request from the Ohio Division of Liquor Control: from Harvco Enterprises LLC Henry Menninger RCVR DBA Taylor Creek Sunoco, 7707 Harrison Ave., Cincinnati, OH 45247 to Krishna Raj Inc. DBA, Taylor Creek Sunoco, 7707 Harrison Ave., Cincinnati, OH 45247. Mrs. Harlow said she spoke to Chief Meloy and Dr. Roschke about this before the meeting and neither recommends a hearing. The Board agreed.

Mr. Wolterman motioned that they recess for a few minutes at 8:31PM. Mr. Ritter provided the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

The Board reconvened at 8:39PM.

PUBLIC HEARING

LUPA 2010-02 Southwest Sector

Ms. Bancroft presented the staff report. She said the floodway was a major issue; flood maps for this review were developed in 2010 -- not much changed. LUAB focused to the east of East Miami River Road. Ms. Bancroft presented their four areas of study and change.

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Bernie Fiedeldey said at the bottom of the map, where the big hook is, that's suggested to PMUE uses, but it's a floodway. You can't do that. You should make this correct. Someone might think you can build there, but you can't. He showed the Board photos of the flooding and suggested the Board look at this again before they make the changes.

Ms. Bancroft said there is no proposal to change this section specifically. The Army Corp and Hamilton County Public Works have strict guidelines on building. Zoning is RF Riverfront.

Mr. Deters asked if this has been addressed by the LUAB. Ms. Bancroft said it was in 2004 and 2005. Mr. Fiedeldey said it's incorrect and that's his point.

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Mr. Wolterman said this is not in the banks of the river. Ms. Bancroft said that it's in the A area. Mr. Wolterman said you can build there with restrictions, but this issue should be brought before the LUAB.

Mr. Deters said we should look at this as it could give the wrong idea for someone who wants to build here. We don't want to be in the position that the Township misrepresented the area.

Mr. Ritter moved to approve the recommendation of the LUPA and Mr. Wolterman seconded. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

ZA 2010-02 Fence Regulations

Ms. Bancroft said the goal is to amend article 12.8 to prohibit multiple fences.

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

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Bernie Fiedeldey commented that the photo showed chain link and privacy fence. The "good" side was in toward the property owner. This is not allowed. Must be distance between if someone wants a privacy fence. What if two property owners own the fence? He also stated there was miniscule amount of response to the Zoning Department's online survey and it was not well advertised.

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

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Mr. Wolterman said the change is regarding two fences on the same property line. There must be an avenue of maintenance. This is one fence on one property.

Mr. Reuter added reinforcement of existing fence is one fence; if the reinforcement would stand alone, it is two fences. Mr. Wolterman said that depends on how it's done.

Mr. Ritter motioned to approve. Mr. Wolterman provided the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

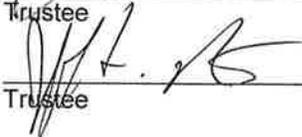
ADJOURNMENT

With no further business to come before the Board, at 9:06 PM, Mr. Wolterman motioned for adjournment. Mr. Ritter offered a second.

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"


 Fiscal Officer


 Trustee


 Trustee

 Trustee