

Held

April 26, 2011

**OPENING OF MEETING**

Mr. Deters called the meeting to order at 5:34 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 employment, compensation and discipline of public employees.

At 5:35 PM, Mr. Ritter made a motion to enter Executive Session and Mr. Wolterman 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 7:02 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. Deters asked for approval of the April 12, 2011 meeting minutes. Mr. Wolterman had one change on page four. In the area of Mr. Wolterman said that in 1987 to 1988 the Board did look at accrual of sick time and at that time, it was at 100%. And the trustees at that time capped sick time at 1440 hours with a 25% payout at time of retirement. Mr. Ritter had one change on the same page, last paragraph, fifth line ... replace the word "notion" with "problem." On the second to last line, instead of "five years," it should be "two years" of service in the proposal. It should read "three weeks" of vacation after two years of service instead of "five weeks." Mr. Deters mentioned one sentence on page two second to last paragraph didn't appear to be a sentence. Mrs. Harlow explained the period should be a comma. Mr. Ritter made a motion to approve the minutes as amended and Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

**PRESENTATIONS****Review of Plain Clothes Team and Introduction of Partnership with Hamilton County Sheriff's Office**

Chief Meloy reported that in January, 2007, the Colerain Police Department created a two person "Plain Clothes" investigative team. The team was formed not only to address drug complaints; but to combat street crime of all types. The selected officers underwent extensive training in surveillance, informant management, and witness and suspect interview skills; as well as training by the Drug Enforcement Agency in the area of drug investigations.

Held

April 26, 2011

Since the Team's inception they have formed working partnerships with the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the Ohio Investigative Unit (OUI), Cincinnati Police "Vice" and Pharmaceutical units, the Regional Narcotics Unit (RENU), as well as the Drug Abuse Resistance Team (DART). These relationships have proven to be of great value to the team and several of their investigations. The provision of manpower, equipment and investigative experience has been made available to assist in varying types of criminal and drug investigations. The detectives developed a professional reputation with fellow law enforcement agencies and the courts.

The Investigative Team have participated as members of Colerain Township "Robbery and Burglary" task forces, investigated underage alcohol sales violations, partnered in the service of federal search warrants; while also coordinating with private businesses to fulfill their loss prevention mission. On several occasions, the team investigated "Counterfeit" trademark cases with investigators from the Motion Picture Industry.

Since January 2007, the team has worked approximately 800 days. In that time, they have been assigned 223 cases requiring investigation and follow-up. Those 223 cases do not include the hundreds of investigations initiated through their proactive efforts. The initiative and willingness of our officers to "get the job done" led to 1,262 arrests. The team also served 34 search warrants.

The Colerain Police "Plain Clothes" Investigative Team seized 57 pounds of marijuana, 294 grams of crack cocaine, 332 grams of powder cocaine, three pounds of heroin and thousands of pills and tablets. During their four years of existence, the Team confiscated approximately \$100,000 in cash and 21 motor vehicles. The proceeds from these seizures are returned to the Police Department to further the investigative mission of the team while also supporting the Department's bike team and DARE education initiatives.

The Team's mission is not exclusive to drug investigations. In 2010, they conducted a several month investigation into a business that was reportedly accepting and selling stolen merchandise. As a result of this investigation, over 30 victims of crime were returned property that had been stolen from them. This investigation required the coordination of the local business community. In a sense, the community partnered with our agency to resolve this identified problem.

The Plain Clothes Investigative Team coordinated a "Robbery" Task Force in late 2010 and early 2011. The task force was initiated after the Department identified an increase in burglary and robbery crimes. The task force made 86 arrests and recovered several firearms. The task force arrests included suspects from a home invasion robbery and suspects responsible for burglaries in the area.

The Team is committed to being responsive and flexible to the needs of Colerain Township. They continue to receive quality training and benefit from the partnerships they have forged since 2007. Their efforts increase the services being provided to the businesses and residents of Colerain Township, while working to make our community safer for our residents and visitors.

Chief Meloy said that through the Teams' success, he was very aware of their need for manpower. As you are aware, we partner in our law enforcement service with the Hamilton County Sheriff's Office. Through this partnership, he felt comfortable reaching out to Sheriff Simon Leis and Colonel Ramon Hoffbauer in March of this year to ask them if they would be interested in adding manpower to our team.

Held

April 26, 2011

Chief Meloy said the Colonel advised him that he felt the concept was "long overdue" and a "great idea". The Sheriff concurred. The Sheriff's Officer posted the new partnership in law enforcement for interested deputies to participate in the selection process. The Sheriff's Office received 16 letters of interest from deputies.

Over two days, we jointly held interviews with the interested deputies. At the end, we were able to identify two deputies that we felt would excel as members of the plain clothes team.

Colonel Hoffbauer said the credit really has to go to Chief Meloy who called and put this idea on the table. He thought it was an excellent idea, and the Sheriff agreed. We haven't been able to do a lot of things because to put a marked car in the neighbor really doesn't solve some of the problem. You need undercover work; and we were not able to do that. He expects this thing to take off and next year when he's reading the statistics, he hopes it's double. We're facing budget issues like Colerain and everybody else. We didn't have to hire anybody extra to do this. We were able to do it with existing personnel. There's no extra cost to the township or the county which should make everybody happy. He is looking forward to the May 9<sup>th</sup> kick-off day. Throughout the country, he doubts if there are two departments anywhere acting as one. It's not always easy to do. Sometimes it's difficult, but we've made it work all these years and he doesn't see any reason why this thing won't take off and be successful. He offered his thanks to Chief Meloy and thanks to the Trustees for giving us the opportunity to work together. Hopefully we'll set some records.

#### **POLICE REPORTS**

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics were generated in March 2011:

- 24 cases were assigned to the Sheriff's Criminal Investigation Section and 12 were closed, with \$22,350 in stolen property recovered.
- 7 DUI arrests by County contract and non-contract Deputies
- 118 citations were issued by Hamilton County Sheriff's Office Colerain contract cars. 111 cites by non-contract Deputies with a total of 229.

Police Chief Meloy said the Township's department issued 331 citations with 9 arrests for DUI.

#### **TRUSTEE REPORTS**

##### **MR. RITTER**

Mr. Ritter announced the Hamilton County Township Association quarterly meeting has been moved to July 27 at Clippard Park.

He recognized that Ms. Marie Sprenger, head of our Senior Center, was not in attendance; but he wanted her to know that he's looking forward to attending Thursday night's annual dinner to recognize volunteers. They do such a huge job and save us a lot of money as volunteers.

He commended Mr. Emmerson on the great article in *The Cincinnati Enquirer* this week on his service to Colerain Township.

##### **MR. WOLTERMAN**

Mr. Wolterman offered his kudos to both police agencies. There is a lot in safety happening in Colerain. We have the partnership in the new community center

## RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held

April 26, 2011

down at Groesbeck and the partnership with the county on the undercover. Our residents and businesses should feel safe. With everything going on with the community program down at Groesbeck, it's been a great response. Thanks to everyone.

Mr. Ritter commended Chief Meloy for his leadership on the undercover unit. He's looking forward to the partnership with Hamilton County's Sheriff's office.

**MR. DETERS**

Mr. Deters echoed Trustee Ritter's sentiments to Mr. Emmerson.

He commended both police agencies, and said it's fine safety services and personnel from top to bottom. The cooperation is tremendous, and gives him peace of mind when he goes home to his family night.

**CITIZEN ADDRESS**

Bernie Fiedeldey, of East Miami River Road, said that Mr. Birkenhauer said Northgate Mall would be sold by March and asked if that has happened. Mr. Deters said no and that Mr. Foglesong will relay his interest in this to Mr. Birkenhauer.

Mr. Fiedeldey said that while watching the meeting on the web, he noticed issues of bonds were sold for streetscape and the mall. We spent about \$2 million total to profit the mall. Why spend money when we don't know who the owner will be. What will they put into mall? Seems like a crap table bet. Why would we do this without having an owner in place? The idea is to enhance development, not just spend tax payer money.

**UNFINISHED BUSINESS****ZONING****Journalization ZA2011-01**

Dr. Roschke read, by title, Resolution 31-11, the journalization of case ZA2011-01, 7161 Eagle Creek Road from R-2 Estate Residential to PD-B Planned District-Business.

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

Mr. Deters. "Nay"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

**LEGAL****Black Wolf Run Subdivision Sidewalk Waiver**

Mr. Reuter said the Board considered this at the last meeting. During the hearing Mr. Barrett produced documents which he reviewed in detail between meetings. He also did additional research. The critical facts are that the Subdivision in question was approved in 2001 and 2002. In March 2006, the Board of Trustees reaffirmed the sidewalk program and added to it the requirement of a waiver of this sidewalk program be made concurrently with the payment of money into the sidewalk fund. Since the subdivision here was approved more than three years prior to that action of the Board of Trustees, his recommendation is that the sidewalks should be waived here. He would also go further and waive the requirement of the payment into the fund. He has reviewed this with Dr. Roschke and it appears to be the only subdivision in this situation. The subdivision was started almost ten years ago. The sidewalk program was adopted five years

Held

April 26, 2011

ago. The situation is unique. Mr. Barrett's request is well taken under the circumstances.

Mr. Deters said he's inclined to follow the advice of counsel. He wanted to confirm this would be the only development in this situation. Mr. Reuter said he and Dr. Roschke believe this is the only subdivision with this problem because of the spread of years when it was started and finished. Mr. Deters said he would poll the Board just to speak on the issue so Mr. Barrett might not need to address it.

Mr. Ritter agrees with that assessment.

Mr. Wolterman said it's in everyone's best interest. In the future, does it make sense to charge developers monies for sidewalks on terrain that could never substantiate a sidewalk? Why would we tie up their money when this is not even buildable?

Mr. Deters made a motion to grant waiver and waive deposit request. Mr. Ritter offered the second. No discussion and the roll was called:

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

**ADMINISTRATION**  
**Impact of State Budget Cuts**

Mr. Foglesong said at the previous meeting the Board asked him to come up with a consideration of what the potential impact of the State budget cut may have on our operations for 2011. For the current year again the Board should understand these were proposals made on the State's 2012-2013 budget, which is not even out of committee yet. With that in mind, what he presented to the Board are those funds that may be cut relative to the proposed budget, and they affect the Local Government Fund, the tangible personal property and the estate tax, which are the issues which have been in the press for quite a time:

Fund type	General Fund		Road and Bridge	
	percentage cut	\$ cut	percentage cut	\$ cut
Local Government Fund	12.50%	\$ 13,238.25	0%	\$ -
Tangible Personal Property	31.9%	10,656.59	31.9%	\$19,355.85
Estate Tax	on hold	\$ -		\$ -
Total impact by levy (district)		\$ 23,894.84		\$19,355.85
Total reductions by levy (district)		(\$605,000.00)		(\$20,000.00)

Fund type	Police District		Fire District	
	percentage cut	\$ cut	percentage cut	\$ cut
Local Government Fund	0%	\$ -	0%	\$ -
Tangible Personal Property	31.9%	\$ 76,995.47	31.9%	\$ 246,524.51
Estate Tax		\$ -		\$ -
Total impact by levy (district)		\$ 76,995.47		\$ 246,524.51
Total reductions by levy (district)		(\$80,000.00)		(\$248,000.00)

For the Local Government Fund, the state budget projects a 25% reduction in FY2012 or 12.5% June 1, 2011, and 25% in FY2013 or 25 % in calendar year 2012 and 12.5% in calendar year 2013.

Held

April 26, 2011

For the tangible personal property, early projections from the Ohio Department of Taxation, final estimates are being formulated by the Department of Taxation.

For estate tax cuts, HB 3 was amended to 1/1/13 as initiation date and the companion bill, SB 90, is on hold in committee

Mr. Wolterman asked about the reduction of the TPP, would that be similar to real property. Mr. Foglesong said this has gone away with the reimbursement of the CAT tax. These funds will be kept by the state, not passed to local governments.

Mr. Ritter asked questions on the cuts themselves. For the general fund, this seems like a tangible cut. He asked what they will do differently on the others and if they have reduced structurally. Mr. Foglesong said they are not replacing certain personnel in the budget. The money will just not be available.

#### **NEW BUSINESS**

##### **POLICE DEPARTMENT**

###### **D.A.R.E. Resolution**

Chief Meloy read Resolution 32-11, "Resolution Supporting D.A.R.E. Program." Participation in driving angels will be reimbursed via this grant.

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

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

##### **PARKS & SERVICES**

###### **Seasonal Employee**

Mr. Schwartzhoff asked the Board to approve hiring Laura Pierce, Day Camp Counselor, beginning June 1, 2011 at \$8/hour.

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

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

###### **Third Annual Earth Day and Arbor Day Celebration - April 29**

Mr. Schwartzhoff reported that 125 Colerain Middle School 6<sup>th</sup> graders will learn about the benefits of recycling and help plant an elm tree at Colerain Park. The Earth Day celebration begins at 1 p.m.

Eighty-five Bevis Elementary 5<sup>th</sup> graders will also learn about the benefits of trees and help plant a red bud tree at Clippard Park. The Arbor Day Celebration begins at 1 p.m.

#### **ZONING**

##### **Nuisance Resolution**

Dr. Roschke read, by title, Resolution 33-11, Nuisance Abatement.

Held

April 26, 2011

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

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

**FIRE**

Chief Smith said after last week's heavy weather moved through he had citizens' questions about the status of the county's emergency warning systems, the sirens. There has been an effort for the last five years to upgrade the siren system which included replacing some of the old sirens and adding new ones to eventually have 100% coverage with the siren umbrella. When Mrs. Walters called from Austin Ridge in the Pleasant Run Area, he contacted EMA. They are very close to moving the project forward. They purchased all the sirens with grant money about 1 ½ years ago so they wouldn't lose the money. The sirens were warehoused then. Now they are going through the legal process of getting the installations ready. There will be 140 new sirens installed. Some of those will go to Colerain. We've had a few of our five sirens upgraded with the more powerful electronics with the two-way controls. Installations are targeted to start August 1. The county will forward a map to us to review with the proposed siren locations. The most important thing we need to convey to the public is that the sirens are designed for outdoor warning, not for warning inside their homes. We need to remind people to get a weather radio. That's the safest way to be alerted if there is something imminent. Everyone needs to have a few layers of protection. Please call the Fire Department with questions.

**FISCAL OFFICER REPORT**

Mrs. Harlow said financial reports are available for viewing at the Administration Office weekdays during regular business hours; or you can call or email to receive information.

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"

The Fiscal Officer has recorded the following receipts:

<b><u>REC</u></b>	<b><u>VENDOR</u></b>	<b><u>FOR</u></b>	<b><u>AMOUNT</u></b>
198-2011	Police Dept.	Salaries	3,360.41
199-2011	Sr. & Community Ctr.	Membership \$107.50, Classes/Events \$225, Lunch \$16.30, Trans. Donation \$30	378.80
200-2011	Police Dept.	Tow Fees	240.00
201-2011	Police Dept.	State Park, DUI and Drug Fines	937.50
202-2011	Police Dept.	Court Reimbursement	12.00
203-2011	Police Dept.	Tow Fees	240.00
204-2011	Parks & Services	Anonymous Donation	4,000.00
205-2011	Parks & Services	Shelter Rentals	350.00
206-2011	Parks & Services	Shelter Rentals	720.00
207-2011	Parks & Services	Shelter and Baseball Field Rentals	610.00

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April 26, 2011

208-2011	Fire & EMS Dept.	Inspection Fee	35.00
209-2011	Staples	Refund Duplicate Payment of Invoice	444.81
210-2011	Dept. of Justice	DOJ	2,085.00
211-2011	Medicare	EMS Billing	107,140.79
212-2011	Council on Aging	COA	2,189.18
213-2011	Fifth Third Bank	Investment Primary General Interest	210.62
214-2011	Fifth Third Bank	Investment Primary NOW Interest	784.97
215-2011	Fifth Third Bank	Investment Silver Interest	7,500.00
216-2011	Fifth Third Bank	Investment Olive Interest	5,000.00
217-2011	Fifth Third Bank	Investment Purple Interest	23,750.00
218-2011	Fifth Third Bank	Investment Lt. Orange, Interest Less Debit & Credit from 2010	6,099.88
219-2011	Police Dept.	Court Reimbursement	12.00
220-2011	Police Dept.	Court Reimbursement	6.00
221-2011	Police Dept.	Towing Fees	240.00
222-2011	Zoning Dept.	Certificates, Other	1,066.00
223-2011	Police Dept.	Court Reimbursement	36.00
224-2011	Police Dept.	Vendor Permit	150.00
225-2011	Police Dept.	Forfeited Monies	1,578.69
226-2011	Parks & Services	Shelter and Ball Field Rentals	610.00
227-2011	Kathy Mohr	Copies	3.00
228-2011	Administration	April 2011 Board Mtg.	726.48
229-2011	Sr. & Community Ctr.	Membership \$150, Classes \$90, Rent Event Dep. \$350, Lunch \$55.50	645.50
230-2011	Fire & EMS Dept.	Tower Reimbursement, CTTC Rent CTTC Elec., Reports, Sign Donation, CPR, Reimbursement Lab Fees, Commissary, Inst. Update Class, Reimbursement PPE	13,171.70

Mrs. Harlow said she received a request from the Ohio Division of Liquor Control:

- A request for a new permit from Sai Krishna of Ohio LLC, DBA Central Liquors, 9908 Colerain Ave., Cincinnati, OH 45251.

Mrs. Harlow said she spoke to Chief Meloy and Dr. Roschke about this and neither of them see the need for a public hearing. The Board agreed.

Mrs. Harlow read Resolution 34-11, "Resolution Authorizing Township Administrator and Assistant Township Administrator to Approve Purchase Orders of \$2,500.00 or Less." She said this is one of her recommendations from the auditors' review.

Held

April 26, 2011

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

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

Mrs. Harlow said that she is still reviewing with staff the policies and procedures for the payment of invoices. At the last meeting, Mr. Wolterman said that he hopes Mrs. Harlow will meet with the township's administration and managers to make sure everyone is on the same page before moving ahead. She said that is exactly what she is doing. She has hosted several meetings of the department administrative assistants to get us on the same page. If any of the Trustees have questions or want to talk with her, her door and phone are always available. She said she offered to sit down with Mr. Wolterman a few years ago and he's yet to take her up on the offer. The invitation still stands.

**EXECUTIVE SESSION**

At 7:50PM, Mr. Deters requested the Board enter Executive Session for the purpose of discussing public employees and compensation.

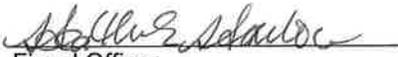
Mr. Ritter made such motion and Mr. Deters offered the second. The roll was called:

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

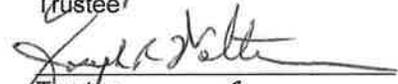
**ADJOURNMENT**

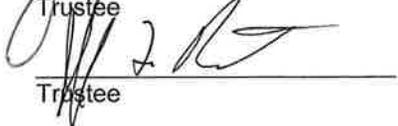
With no further business to come before the Board, at 8:16 PM, Mr. Ritter motioned for adjournment. Mr. Wolterman offered a second.

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

  
Fiscal Officer

  
Trustee

  
Trustee

  
Trustee