

Hamilton Township Trustee's Meeting

February 15, 2017

Trustee Board President Wallace called the meeting to order at 6:00p.m. Mr. Wallace, Mr. Walker, and Mr. Gallagher were present.

An opening prayer was given by David Dayton.

The *Pledge of Allegiance* was recited by all in attendance.

Motion was made by Mr. Wallace with a second by Mr. Walker to adopt the proposed agenda for the February 15, 2017 meeting.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Motion made by Mr. Wallace with a second by Mr. Walker to approve the meeting minutes from the meeting on February 1, 2017 and February 4, 2017.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Motion made by Mr. Wallace with a second by Mr. Walker to approve the withholding payments for payment cycle January 29, 2017 – February 11, 2017, checks numbered 24528560 - 24528578.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Motion made by Mr. Wallace with a second by Mr. Walker to approve Payroll for pay cycle January 29, 2017 – February 11, 2017, Electronic Fund Transfer Direct Deposit Vouchers 1113648362 - 1113648434.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle February 6, 2017 – February 10, 2017 checks numbered 77153 - 77159.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Motion made by Mr. Wallace with a second by Mr. Walker to approve the billing invoices for payment cycle February 13, 2017 – February 17, 2017, checks numbered 77160 - 77205.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Public Comments

Trustee David Wallace opened the floor to the public at 6:05 pm.

Trustee David Wallace made a motion to close the floor to the public at 6:05 pm and seconded by Trustee Joe Walker.

There was a partition fence line hearing for 6033 Zoar Road.

Trustee Dave Wallace stated that there were questions asked of the property owners at the special meeting on February 4, 2017. Dave Wallace read off the questions that were asked of Mr. Wallace and Ms. Felton along with the answers.

When was the fence first constructed? Before 2008? Yes, but not sure what year.

Is there evidence it was or is there? Yes, you could see there was evidence.

Was it taken down? Yes, it was taken down.

Who took it down? Nancy Felton took it down on or about November 2013.

Was there a notice of removal? No notice was given.

Was there an affidavit filed that the fence was missing for a year? No.

Will the fence be used to contain livestock? Ms. Felton said yes. Trustee Wallace asked Ms. Felton if this was her livestock and she said no, it was Mr. Wallace's. Trustee Wallace asked Mr. Wallace and he said no.

Are there partition fence records filed with the Warren County Recorder? Legal Counsel, Doug Miller said no that he checked at Warren County and there are no records filed in regards to this fence.

David Wallace stated that the two questions that the Board is here to answer is, do they put a fence up in the same location?

Doug Miller stated that the question is should the fence go up, and in what location, and who should pay for it?

David Wallace asked Mr. Wallace if he had anything to add to the questions and he said no. David Wallace also asked Ms. Felton if she had anything to add. Ms. Felton presented pictures that she says is of the original fence line that was used to keep horses from getting to the road.

Ms. Felton stated that the horses are contained in individual pastures but when they bring them in and out to the barn, there is no fence. If they get out of those pastures or their stall, they are free to run out on the road and there needs to be a fence there. She also stated that she feels if it wasn't necessary, Mr. Wallace would not have put up a temporary fence. She also stated that 6 or 7 years ago, a horse got out and was hit by a car and was killed.

Doug Miller asked Mr. Wallace if he had any questions based on what Ms. Felton had to say or the pictures?

Ms. Felton stated that a statement from the original owner stated the fence had been there since before July 2, 1985.

Gary Franke, represents Mr. Wallace, stated the pictures just show everything from different angles and the livestock is contained.

Doug Miller asked what the issue was, where the fence should go?

Mr. Wallace stated that he bought the property in December 2013 and the fence line was overgrown. He stated that he was not aware of any agreements between Ms. Felton and the previous owner of his property. Mr. Wallace stated that he is not objected to Ms. Felton putting up a fence and he thought the fence would go on the surveyed line.

Mr. Franke stated there is no actual picture of where the fence was and there are just a few marks.

Joe Walker asked if they would recommend her cutting down the big oak tree?

Mr. Franke stated they never asked suggested she had to cut down the tree.

Mr. Wallace stated where the property line is, is what is important to him. He doesn't want the fence line to cause a problem if either one decides to sell their property.

Ms. Felton stated there is a difference in the survey line and the property and she was trying to establish the original fence line. She stated the survey is right and doesn't believe the survey line is that far off of the fence line.

Doug Miller stated the surveyor is determining where the property line is, isn't that point of the survey?

Mr. Franke stated if they just use the property line as the fence line, that would be the easiest and fairest. He stated there will be an issue in selling either property if the fence is not on the property line. He also stated if something happens to her side of the fence, yet it's on Mr. Wallace's property, who is responsible?

Ms. Felton stated she did not have a copy of the survey with her. She also stated if Mr. Wallace felt a fence wasn't necessary, just take it down and don't worry about it, let it go. She stated just to take down all of the poles and rope.

Doug Miller asked Mr. Wallace and Ms. Felton if they needed a fence and both said no.

Doug Miller stated a report will be prepared and filed with Warren County.

Human Resource Manager, Kellie Krieger requested the Board make a motion for a one time carry over of 98.5 vacation hours for Office James Schelldorf to be utilized before December 31, 2017.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Human Resource Manager, Kellie Krieger requested the Board make a motion to approve a Family Medical Leave of Absence for Carolyn Hunter from February 21, 2017 to approximately May 31, 2017. She will be utilizing her sick, vacation, and comp time.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Human Resource Manager, Kellie Krieger requested the Board make a motion to remove Joe Wood from the active Hamilton Township roster effective February 10, 2017.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0215, authorizing and approving an increase in township appropriations to reconcile budgets for calendar year 2017.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0215A, declaring certain personal property as obsolete, surplus, no longer needed for public use, and authorizing its disposition.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0215B, authorizing an advance from the general fund (1000) to the lighting district fund (2401).

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Police Chief, Scott Hughes gave a report on the January activity for the Police Department. There were a total of 1,455 total calls. The detective opened 9 cases and closed 5 of those. The total number of calls from Warren County dispatch was 11,533 for 2016. Chief Hughes also talked about the drug operation that was stopped in Thornton Grove.

Ray Warrick stated they would like to bring a resolution before the Board regarding parking complaints.

Joe Walker asked what the biggest complaint was?

Chief Hughes stated for instance in Michel's Farm, they have complained about cars blocking the sidewalk, parking too close to the corner, cars not parking with the flow, and cars parking in the cul-de-sac.

David Wallace stated he would like more information.

Fire Chief, Brian Reese gave a report on the January activity for the Fire Department. There were 50 engine runs and 141 EMS runs. Out of the 141 EMS calls, there were 98 transports. Hamilton Township gave 8 mutual aids and received 12. The Fire Inspector did 35 fire inspections, 2 zoning inspections, and covered 3 shifts. The new heart monitors were put into service. Some of the Firefighters/EMT's were recognized for their years of service for 2016. The department hosted some fire students from the Warren County Career Center to ride along. There was updated training on radios and dispatches. The department started using the LSFD training tower and they will try to use it at least once a month. The study done by LJB to check into consolidating to one firehouse, shows the run times would improve.

Joe Walker asked how the fire tech program was going?

Chief Reese stated everybody is stepping up and covering each other.

Administrator, Ray Warrick stated the monthly report sheet was not published because January 2016 and January 2017 cannot compare because of the number of pay periods. There was \$98,000.00 spent to seed the HSA accounts. Mr. Warrick stated the accounting software does not seem to be working. He also stated that spending is on track.

Administrator, Ray Warrick stated the township has kept approximately \$3 million in CD's at LCNB National Bank. These CD's would automatically roll over. The township is looking to put the money into broker purchased CD's through LCNB.

Trustee David Wallace made a motion to move current CD's into the open multiple market CD's and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Fiscal Officer, Jim Hunter requested the Board make a motion to approve a Purchase Order for \$43,625.66 for the Stryker power cot with loading system.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 17-0215C, to impose a moratorium on the granting of building permits, certificates of occupancy, or zoning certificates for any land, building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana for a period not to exceed six months from the effective date of this resolution.

Trustee David Wallace made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Legal Counsel, Doug Miller suggested to put this on the agenda at some point in case something needs to go into zoning code.

Administrator, Ray Warrick requested Kellie, Kenny, and Chief Hughes also be in Executive Session for Employment of Public Employees and Compensation of a Public Employee. Mr. Warrick stated the property that will be discussed to possibly sell is the property at the corner of Grandin Road at Striker Road that is currently being used as a community garden. The developer that was turned down to change the zoning at 727 Grandin, approached the township to purchase this property of approximately 6 acres, to be used as more green space in the development in order to possibly get the zoning changed. They intend to leave it as a community garden.

Legal Counsel, Doug Miller stated the zoning change will not be discussed in Executive Session and asked to also add litigation to Executive Session.

Trustee's Business

Mr. Wallace made a motion, and seconded by Mr. Walker to enter into Executive Session to discuss the sale of township property at Grandin Road, employment of public employees, compensation of a public employee, and a pending litigation at 7:00pm. In Executive Session were all Trustees, Administrator, Law Director, Kellie Krieger, Scott Hughes, and Kenny Hickey.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Mr. Wallace made a motion, and seconded by Mr. Walker to come out of Executive Session at 7:47pm.

Roll call as follows: David Wallace Yes
Joe Walker Yes
Chris Gallagher Yes

Trustee David Wallace stated there was not action taken on the sale of township property at Grandin Road.

Trustee David Wallace made a motion to proceed with the hiring process of two clerks, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

Trustee David Wallace made a motion of no pay out of sick time to compensate a public employee, and seconded by Trustee Joe Walker.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |

With no other business at hand a motion made by Mr. Wallace with a second by Mr. Walker to adjourn at 7:48pm.

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| Roll call as follows: | David Wallace | Yes |
| | Joe Walker | Yes |
| | Chris Gallagher | Yes |