

HAMILTON TOWNSHIP TRUSTEES

August 6, 2014

Mr. Weber called the meeting to order at 6:01 p.m. with all members of the board present.

The Pledge of Allegiance to the Flag was recited by all in attendance.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to adopt the proposed agenda for the August 6, 2014 meeting.

Roll call as follows:	Gene Duvelius	Yes
	David Wallace	Yes
	Kurt Weber	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to dispense with the public reading of the minutes and approve as written for the July 16, 2014 meeting.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to pay the bills before the Board with check numbers 73333 through 73379 and 73390 through 73401 and check number 73485; check numbers 73380 through 73389 are voided due to a printer malfunction.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to pay payroll and withholding checks with check numbers 73235 through 73332 and 73402 through 73484 and 73486 through 73493.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

The Hamilton Township Police Association was in attendance for a presentation. With donations from the Hamilton Township Business Group and the Miami Bluffs Men's Association, school supplies for Little Miami District students were purchased. There were ten (10) bags with supplies purchased in total. Supplies were purchased from the school supplies lists for those grades. A round of applause was given by all in attendance.

Ms. Melissa Brock, Human Resources, asked the board to make a motion to reinstate Mr. Brad Crowthers to his previous position of part time Firefighter/EMT within the Fire Rescue.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Ms. Melissa Brock, Human Resources, asked the board to make a motion to approve a one (1) time carryover of vacation hours for Terry Viel of which 67 hours will be utilized on or before end of calendar year 2014.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Ms. Melissa Brock asked the board to make a motion to approve the purchase of cemetery lots within the Murdock Cemetery – New Section as follows:

- Tammy Flanagan; Lot 130, Grave 3 and 4; Deed 2014-10
- Howard Cheek; Lot 130, Grave 5, 6, 7, and 8; Deed 2014-11
- Maggie Kurtz; Lot 129, Grave 3 and 4; Deed 2014-12
- Angie Rolland; Lot 129, Grave 6; Deed 2014-13
- Linda Philpot; Lot 129, Grave 7 and 8; Deed 2014-14

Each of the lots were purchased at the resident cost of \$400.00 each or \$4,400.00 for the set.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Ms. Melissa Brock asked the board to make a motion to approve the purchase of cemetery lots within the Maineville Cemetery – New Section as follows:

- Shawn Berchtold; Lot 37, Grave 5; Deed 2014-15
- Pauline Maggard; Lot 483; Grave 5 and 6; Deed 2014-16

Each lot was sold at the Hamilton Township resident cost of \$400.00 per grave.

Mr. Duvelius made a motion and Mr. Weber seconded the motion as stated above.

Roll call as follows:	Gene Duvelius	Yes
	Kurt Weber	Yes
	David Wallace	Yes

Mr. Ray Warrick, Fiscal Officer, presented an Amendment to the Appropriations with Resolution #14-0806. Two of the line items are for an increase in appropriations as expenses will exceed the current appropriations. The next set of entries are for the building payment for the Administration Building. The General Fund will pay half and the Police Levy Fund will cover the remaining amount. The Police Levy Fund will also pay half the building payments for 2011 and 2012 as these payments were not made by the fiscal officer in past years. Mr. Gary Boeres, Administrator, wanted to clarify that the trustees had agreed earlier in the year on going back to the 1-mil, 2010 Police Levy to collect the building payments from the Police Department. The General Fund payments were already made for those years.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0806 authorizing the amendment of the 2014 Permanent Appropriations involving the funds presented in the attached spreadsheet on August 6th, 2014.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes
	Gene Duvelius	Yes

Mr. Warrick stated Ms. April Davis from the State Auditor's office was in today and he presented her with the Fiscal Emergency Plan. She provided some advice on Township proposed plan. A draft will be done in the next few days and will be given to her prior to

the Commission meeting on August 25th. The plan should take the Township down to only one (1) negative fund and involves shutting down the ambulance fund for a period of time. Mr. Warrick stated between the shutting down of the fund and the opening of a new fund he does not anticipate a large lapse in time, and coverage could be provided by our surrounding departments through mutual aid.

Mr. Mike Cremeans, State Route 48, asked if there was any thought of paying back the ambulance fund. Mr. Warrick stated no, money is not really being moved it is all in a pool of funds, it would be accounting entries.

Mr. Warren Ritchie, Law Director, wanted to note that the Fire Rescue would respond on emergencies as normal on day-to-day operations. There would be no interruption in service. Only voluntary transports would be affected during the shut-down. Chief Mark Greatorex, Hamilton Township Fire Rescue, stated we do not do voluntary transports anyway.

Mr. Ritchie provided a timeline:

1. August 20th Trustee Meeting: A Resolution will be presented to the trustees to discontinue the Ambulance Services Fund and enclose the Ambulance Fund and Generated Funds. The Resolution would go into effect at the September 3rd Trustee Meeting as stated in the Resolution.
2. August 25th Financial Planning & Supervision Commission Meeting: The Commission would give their approval of the plan which would then be included in a petition.
3. A Petition would be drafted about the Fund Transfer. The draft would then be sent to the Tax Commissioner and the Tax Equalization Department who would pre-approve it.
4. September 3rd: The petition could be filed with the Court. The court should act quickly because there are no real parties in the suit.

Mr. Duvelius noted he wanted to make sure there was no interruption in Fire Rescue service.

Mr. Boeres stated the Township previously discussed using the Fire Legacy Funds and this is no longer being considered. There is about \$600,000.00 that will be used for a new pumper truck.

Mr. Warrick stated he will tell the Commission at their next meeting on August 25th that the pumper is on hold and has already been approved by the board. No monies will be borrowed, we have the money and will ask to proceed and buy the pumper. He will also be asking them about adjusting the pay rate for part-time firefighters because we are having a hard time hiring qualified paramedics due to the wage scale.

Mr. Warrick presented the Lighting District with approval through Resolution #14-0806A. This will be turned into the Warren County Auditor so they can make assessments to the property taxes of the residents who live in neighborhoods where the township pays the lighting bill for street lights.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0806A approving the Lighting District for special assessments for artificial lighting in certain lighting districts for a period of one (1) year and collected in the calendar year 2015.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Warrick stated he has spoken to the bank about direct deposit. It was held up at the bank because of our Fiscal Emergency status. Mr. Warrick spoke to the bank and we can now move forward, but in order to do so he had to open a CD in the amount of \$156,400.00. This CD will be held as security against the payroll activity.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to approve the purchase of a CD at Lebanon Citizen National Bank (LCNB) in the amount of \$156,400.00.

Roll call as follows:	Gene Duvelius	Yes
	David Wallace	Yes
	Kurt Weber	Yes

Dr. Frank Colon, Resident, asked the term of the CD. Mr. Warrick stated it is conditional. Mr. Russell Holman, Volunteer Financial Analyst, asked if interest would accrue. Mr. Warrick stated yes.

Mr. Warrick stated all bills and purchase orders are up to date.

Mr. Warrick noted the Volunteer Financial Analyst is working and has been looking into certain areas like Duke Energy and Lykins Oil. Mr. Russell Holman, Volunteer Financial Analyst, stated this is really a team effort. Mr. Holman has been looking into things that haven't been looked at in a long time. For example he found out today the township has been paying a .47 cent per gallon premium on the fuel for the gasoline from Lykins Oil. If you times .47 cents by the 37,000 gallons we receive that is an \$18,000.00 savings just from one (1) item. Mr. Duvelius stated a list was compiled of all the township vendors and they are trying to consolidate and see where savings can be made.

Mr. Wallace stated he has spoken more with the Park Board about creative ways to raise monies. He wanted to hear some of their priorities and goals they may have. Mr. Gary Gochell, Park Board Member, stated they have nothing to present, but the priorities were listed when the levy was presented. In just speaking for himself, he would like to see fishing at Mounts Park opened, expanded parking at Testerman, updated concession and bathrooms at Testerman, repair playground equipment at Testerman and install a parking lot at Marr Park. Mr. Bruce Scott, Park Board Member, stated he would like to see the parking and concession worked on at Testerman Park. Ms. Corinne Curcio, Park Board Member stated she had been speaking with select soccer groups about them donating money for the parking lot at Marr Park.

Mr. Wallace stated he would like to have Mounts Park opened up for fishing using no money from the tax payers. He would like the Park Board to do some fundraising for the fence and signs that would be needed to open the area. It was suggested to sell park passes to help it sustain itself overtime. Mr. Wallace stated the Maintenance Department could be used to clear the area of debris in the down months. Mr. Weber was in agreement to not use tax payer monies as long as all the issues can be addressed like liability and insurance. Mr. Wallace stated the Park Board will be in charge of setting the final plan. Ms. Curcio state the Park Board estimated \$4,000.00 to get the area able to use. They wanted to possibly hold a fishing tournament on Memorial Day weekend next year. Mr. Wallace stated he would only approve the plan if it does not involve any tax dollars. Mr. Weber stated most of the area would need to be barricaded to control access to the park by fencing and signage. Mr. Weber asked about bank fishing. Mr. Gochell stated the tournament would be only bank fishing no boating. Mr. Weber like the idea and was fine with the Park Board moving forward with the planning as long as all the issues were addressed. Mr. Gochell stated they would need Police backing too as they would need to add the area on their list to patrol. Mr. Duvelius wants the Park Board to outline costs, fundraisers and create a plan to present to the trustees. He is worried about keeping people off of the area to the south that the township does not own. Ms. Curcio stated they would submit the 'perfect plan' and the trustees can tell them where to go from there.

Ms. Pat Cremeans, Park Board Member, asked if there was a larger sponsor what they would receive in return. Mr. Wallace stated he was open to suggestions and recommendations for this. It was suggested naming rights to the lake.

Dr. Colon stated gravel pit water is very cold in temperature and is worried about liability issues if a child falls in and gets hypothermia.

Mr. Scott asked if this would be done without hiring any more personnel. The trustees agreed no more personnel could be hired.

Ms. Cremeans stated she had a volunteer who would be in charge of the Christmas program. She introduced Ms. Lesa Banks, her daughter, who is willing to take over the program.

Mr. Gary Boeres, Administrator, stated Hamilton Township has a TIF District along State Route 48 and US Route 22/3. Currently the township receives all the TIF taxes and then pays the school districts to make them whole. At the present time there is a complicated formula to come up with the amount to pay the schools. There is a verbal agreement with the Kings School District to create a standard percentage for the payback of those taxes which was 43 percent. Again, they verbally spoke with Little Miami Schools and they would like to do a percentage as well to make it simple.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0806B approving and authorizing the Administrator to execute an amended and restated Tax Incentive Agreements pertaining the Hamilton Township Tax Increment Financing (TIF) exemption. Mr. Boeres would cap this at 43% and if there were any change he would bring it back before the board. This is for the Little Miami and Kings School Districts.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Boeres stated Mr. Bruce Rippe had contacted him about a Senior Housing Tax Credit. He had applied for the credits through the state earlier in the year and was not approved. He would like to re-apply this year and needs the board's approval to submit this as the only project in the township that is applying for the credit.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve the request for Mr. Bruce Rippe's request for his project to be the only project in Hamilton Township to receive a tax credit.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Boeres stated a few months ago a consultant for the township presented the Hamilton Township Zoning Code draft. Since then, he has met with the Home Builders Association and made a few minor adjustments. Mr. Boeres believes this is a solid draft and would like to move forward. Mr. Duvelius asked for the modifications the Home Builders Association presented. Mr. Boeres stated he would get them a copy. The board agreed to review this at the September 3rd, 2014 meeting. Mr. Boeres stated some significant changes were requested and he asked that those be addressed in an amendment at a later time.

Mr. Boeres presented properties with high grass to be declared a nuisance. Those properties are:

- Vacant Lot on Acorn Trail
- Vacant Lots in Hopewell Valley
- 9849 Schlottman Road

This authorized the Maintenance Department to clean up the wood pile on the Acorn Trail lot. Mr. Duvelius stated if there is any problem with the hazardous waste in the pile they stop work. Chief Mark Greatorex stated he will call the EPA tomorrow.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0806C, authorizing the abatement, control or removal of vegetation, garbage, refuse or debris pursuant to Section 505.87 of the Ohio Revised Code, dispensing with the second reading, declaring an emergency for the properties listed above.

Roll call as follows: Kurt Weber Yes
 Gene Duvelius Yes
 David Wallace Yes

Mr. Boeres noted the Police Department's copier contract was up for renewal. It was evaluated and currently they pay \$523.74 per month and the equivalent machine was found for just under \$300.00 per month.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to authorize Mr. Boeres to enter into a contract with Ricoh for a copier for the Police Department.

Roll call as follows: Kurt Weber Yes
 Gene Duvelius Yes
 David Wallace Yes

Mr. Boeres noted the shredder contract was cancelled. This will be a savings of \$102.00 per month.

Mr. Boeres stated at the last meeting the Marr Park Fund balance was discussed and what was left in that fund. Mr. Ritchie prepared a Resolution to return the remaining \$69,598.35 from the fund back into the General Fund. This money was supposed to help offset the cost of the Marr Park grading work that was paid for out of the General Fund, but was never reimbursed previously as it should have been.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to accept Resolution #14-0806D authorizing the adjustment of Marr Park Fund balance and move \$69,598.35 to the General Fund.

Roll call as follows: Kurt Weber Yes
 Gene Duvelius Yes
 David Wallace Yes

Mr. Boeres asked for an Executive Session in regards to Union Contract and an Employee Discipline matter.

Mr. Warren Ritchie, Law Director, stated he was asked for a report about the litigation with South Lebanon. Mr. Wallace thought it was important for everyone understand what it was about. Mr. Ritchie stated a group of residents that are township residents and also Village of South Lebanon residents along with the Village of South Lebanon sued the township a few years ago for a determination that the South Lebanon residents that live in annexed areas formerly of Hamilton Township should not have to pay the 2003 Police Tax Levy monies that is assessed against their residences. The residents do not feel they receive police service from Hamilton Township because the Village of South Lebanon contracts with the Sheriff's Department. This was more of a fairness issue. The Court did make a decision in favor of the township. It could be appealed if they so choose.

Mr. James McMican, 8144 Acorn Trail, asked if the residents can annex out of the township. Mr. Ritchie noted the state law says the taxes should be paid to the township and it specifically states they cannot annex out of the township.

President Weber opened the floor to the public.

Mr. Mike Cremeans, 9603 S. State Route 48, asked if the checks approved this evening would be posted somewhere to see what they were written for and written to. Mr. Weber stated they are posted on the township website.

President Weber closed the floor to the public.

Mr. Weber thanked the Park Board for their work and is optimistic about what is to come with their ideas. Ms. Curcio asked about monies that would be received from fundraising and where it would go. Mr. Wallace stated the Park Funds currently get rolled into the General Fund, but could be tagged for the park. It was suggested setting up a Park

Foundation so they could control their own money. The Board did agree that any monies collected for the park would be tagged as park monies. It was not clear how much money was currently set aside for the parks. Mr. Ritchie stated if there is a contribution to the township with a designated purpose that is restricted to use and can only be used for that purpose in which it was donated.

Mr. Weber stated himself and Mr. Millard Allen, Road Supervisor, and Mr. Kenny Hickey, Maintenance Foreman, met in West Chester today for a micro sealing presentation for roadways. This product is for low volume roads and to seal off the cracks to expand the life of the road. This process is a lower cost as well.

Mr. Weber noted the Warren County Park District is meeting on Tuesday, August 12th and have invited the trustees to attend. This will be for thoughts and ideas for the park system.

Chief Mark Greatorex, Fire Department, will be proposing a policy change in regards to property preservation while assisting. For example holes in roofing due to storm damage.

Chief Greatorex presented a Residential Knox Box to the board. The boxes are available to purchase by Hamilton Township residents. A key is stored in the box and hangs over their door allowing the Fire Department only access without causing property damage. These were bought with EMS billing money and cost about \$120.00 each.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into Executive Session at 8:08 p.m. to discuss employee discipline and union negotiations.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Duvelius seconded the motion to amend the previous motion to say: enter into Executive Session at 8:09 p.m. to discuss employee discipline and union negotiations and include the trustees, Mr. Warrick, Mr. Boeres, Mr. Ritchie and Ms. Brock.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Duvelius made a motion and Mr. Duvelius seconded the motion to reconvene at 8:39 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes

Mr. Weber stated Executive Session was to discuss an employee discipline and union negotiations.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to adjourn the meeting at 8:40 p.m.

Roll call as follows:	Kurt Weber	Yes
	Gene Duvelius	Yes
	David Wallace	Yes