

HAMILTON TOWNSHIP TRUSTEES

September 3, 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. Weber seconded the motion to adopt the proposed agenda for the September 3, 2014 meeting.

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

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to dispense with the public reading of the minutes and approve as written for the August 20, 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 pay the bills before the Board with check numbers 73624 through 73660; check number 73660 was voided.

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 73617 through 73623; along with check numbers 73661 through 73744.

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

Judge Loxley, Warren County Court Judge, was present to do a PowerPoint presentation to let everyone know about the Courts. The presentation covered the history of the court, previous and current Judges, and their jurisdictions. Judge Fischer presented the types of cases and number of cases the court hears annually. The trustees thanked Judge Loxley and Judge Fischer for their informational presentation.

Ms. Melissa Brock, Human Resources, asked the board to make a motion to approve Officer Bobby Haussermann for the open Career Position of Police Officer at the 2014 hourly rate \$20.21 with a probationary period to be effective for six (6) months.

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. Brock noted Officer Haussermann will effectively start his position on September 10th, 2014.

Chief Jon Wheeler, Hamilton Township Police Department, thanked the board for filling the vacancy. Chief Wheeler stated Officer Haussermann has been a part-time Officer with the department for six (6) years. During this period he has put in many hours and is very flexible and very useful for the department. He has consistently found Officer Haussermann to be courteous and respectful when dealing with citizens, which is very important. He is confident that Officer Haussermann has a bright and promising career here at Hamilton Township.

President Weber provided the Oath of Office to Officer Haussermann. A round of applause was given by all in attendance.

Ms. Brock asked the board to make a motion to approve a Federal Medical Leave of Absence (FMLA) to Major Scott Carlton for a qualifying event beginning September 3rd, 2014.

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

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

Ms. Brock asked the board to make an additional motion for Major Scott Carlton to be approved for transitional light duty assignment for a non-work related injury permitted through potentially November 26th, 2014. The transitional duty assignment will be for a maximum of an eight (8) hour shift per the direction of Chief Wheeler. In addition no holiday premium pay or overtime will be permitted during this transitional duty assignment. Major Carlton is expected to return to a non-restricted duty on or before November 26th in the current role of Police Member rank of Major.

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

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

Ms. Brock asked the board to make a motion to accept the retirement of Road Supervisor Millard Allen with an effective date of October 31st, 2014. Mr. Allen will be on paid administrative leave with benefits effective September 2nd through October 31st, 2014.

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

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

Mr. Weber thanked Mr. Allen for almost 20 years of service. Mr. Weber appreciated his hard work and dedication. Mr. Duvelius agreed. Mr. Weber stated Mr. Allen will be missed.

Ms. Brock asked the board to make a motion to approve wage increases for the part-time Fire/EMS personnel as submitted by Chief Greatorex to begin effective the pay cycle on August 31st, 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

Mr. Wallace wanted the part-time Fire/EMS rates attached to the minutes and posted to the website. Mr. Wallace stated we are one of the lowest in the area and this will help us staff the department.

Mr. Gary Boeres, Administrator, prompted discussion about the update to the Township Zoning Code. Mr. Weber read the legal notice and noted this meeting was a continuation of the hearing from September 3rd, 2014. Mr. Weber stated the board is continuing the public hearing to discuss the proposed revisions and additions to the township Zoning Code.

Mr. Boeres stated the board received a draft of the Zoning Code dated February 2014. Mr. Boeres presented Resolution #14-0903 to adopt the Zoning Code as presented along with some minor text amendments presented by the Home Builders Association (HBA). There were approximately eight (8) amendments presented by the HBA attached to the Resolution which were considered minor in nature and do not significantly change any of the zoning districts or language of the code. Mr. Weber stated in Section 3.6.2 under the Site Plan Review, subsection C.4 on page 3.11 talks about a written notice of a public hearing. The word hearing should be changed to public meeting. Mr. Duvelius stated some of the definitions and terminology has changed as requested by the (HBA), but no major changes to the zoning districts or density allowances. Mr. Boeres stated that is correct. Some additional items were left off the list from the HBA because these are more substantial changes and should go back through the Regional Planning Commission and Township Zoning Commission. Mr. Boeres noted the Resolution stated Exhibit 'A' is the Draft Code dated February 2014 and Exhibit 'B' is the HBA recommendations and there would also be Mr. Weber's proposed change. Mr. Wallace stated he agrees with the changes and enjoyed meeting with the HBA.

Mr. Weber opened the floor to the public in regards to the Zoning Code Update.

Mr. Steve Feldmann, Home Builders Association, thanked Mr. Boeres and the board for being cooperative and working with the HBA. Mr. Feldmann asked for more flexibility in regards to cluster developments and their size, setbacks, density, landscaping regulations, and subdivision signage. Mr. Weber asked if these requests were the same as what was discussed in the HBA meeting with Mr. Boeres and Mr. Wallace. Mr. Feldmann stated yes. Mr. Weber noted Mr. Don Biedermann, Zoning Commission President, wanted to take an additional look at these requests with the Commission and thought it was better to take these issues back through the process. Mr. Feldmann would like to see another change in regards to retention ponds being counted as open space. Mr. Boeres stated this was changed. Mr. Feldmann stated this was noted in two (2) different areas. The Board agreed to change this in both areas. Mr. Feldmann also would like to change the OEPA in regards to wetlands in cluster developments and in conservation district to State of Ohio and the Federal Government. The OEPA does not regulate the wetlands.

Mr. Weber closed the floor to the public in regards to the Zoning Code Update.

Mr. Wallace stated he was fine with the changes. Mr. Duvelius thanked everyone for their hard work to get this done. This has been a long time coming. Mr. Duvelius wanted to see this move forward.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0903 approving the text amendment, updates, revisions and changes to the Hamilton Township Zoning Code as shown in the February 2014 draft copy that is attached to the Resolution as Exhibit A and further amended by Exhibit B dated September 3rd, 2014 and a further change to Section 3.6.2, Section C, Subsection 4 of the Site Plan Review and change the wording from Public Hearing to Public Meeting; also with an additional change to Section 4.8.2.b.7, Subsection C, Subsection iii omitting the word retention and also in a parenthetical phrase changing OEPA to the State of Ohio or the Federal Government.

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

Mr. Boeres stated he would send thank you letters to all those who helped with the zoning code update process.

President Weber officially closed the public hearing.

Mr. Boeres stated the cleaning bids were opened on August 20th and the results were put into a spreadsheet for the board. Mr. Boeres looked into possibly hiring a part-time person to fill the position. Mr. Boeres, Ms. Brock and Mr. Rusty Holman, Volunteer Financial Analyst, met and discussed different scenarios. Mr. Boeres sent the board a brief report of the findings of the meeting and they do recommend hiring a part-time employee to cover the cleaning. Mr. Boeres is not seeking approval tonight, but wanted feedback from the board of their thoughts on the report and their agreement to further discuss this with the current cleaning gentleman. Mr. Duvelius asked for the estimate of an in-house cleaning guy. Mr. Boeres stated \$11.00 per hour with no benefits other than Workman's Compensation. Mr. Weber asked about the number of hours. Mr. Boeres stated 16-20 hours per week. Mr. Boeres stated this would be a savings of \$4,000.00 - \$5,000.00. Mr. Wallace asked who would be over the gentleman. It was stated Mr. Boeres would be his supervisor. Mr. Wallace wanted to know how long the current bids were good for incase this does not work out. It was decided it would need to be re-bid in that case. Mr. Weber thought it was a great idea. He will be present at the next meeting after meeting with Mr. Boeres and Ms. Brock.

Mr. Boeres stated the cell tower bids were opened at 12:00 p.m. today. There were two (2) bids received. The first bid from Wireless Capital for a lump sum payment of \$275,000.00 covering a 14 year term. The bid would extend to the end of the current lease with Crown Castle. The second bid was from AP Wireless for a lump sum payment of \$255,000.00 covering a 50 year term. It was noted that Mr. Warren Ritchie, Law Director, is on vacation this week and when he returns he will review the bids and bring the issue before the board at the next meeting on September 17th, 2014.

Mr. Boeres prompted discussion regarding fuel for township vehicles. The township is leaning towards using a fleet card and United Dairy Farmers (UDF). They are open 24 hours, 7 days a week. The cards will not be issued to individuals and will be held at the checkout counter. There is a \$.03 savings per gallon purchased through UDF. There is also a savings by not having to maintain the fuel equipment at the Fire Station and Maintenance Garage. The board had no concerns and Mr. Boeres will outline the cost savings and email it to the board. The township will also be going from premium gasoline to a midgrade. An application has to be filled out with UDF to apply for the fleet card and the board would need to authorize Mr. Ray Warrick, Fiscal Officer, to apply. Each department will update their Standard Operating Procedure to cover this change. Mr. Duvelius asked if this would affect tractors or mowers. Mr. Kenny Hickey, Maintenance Foreman, stated it should not affect anything with them. Mr. Boeres noted the card does have restrictions on what it can be used for. The driver does have to keep track of the

gallons and mileage as normal. The township will maintain 500 gallons of gas and diesel each for backup purposes or emergency situations.

Mr. Boeres stated at the previous Park Board meeting, Little League Baseball requested a reduction in field fees for the fall season. The township typically requires a fee of \$1,000.00 per field. Little League would like to reduce the fee to \$250.00 each on two (2) fields. Mr. Wallace asked prior to the meeting in any additional service would be needed that what is normally provided and Mr. Hickey stated no. The Park Board does recommend approval of the fee change.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to reduce the field fee for two (2) fields for Warren County Little League from \$1,000.00 per field to \$250.00 per field for the fall season of 2014.

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

Mr. Boeres stated he had a large purchase order request. The Fire Department has an annual Firefighter physical that is required by the Ohio Administrative Code and the NFPA. The cost is \$14,000.00 and is performed by Public Safety Health and Wellness. Chief Mark Greatorex, Fire Department, stated this is yearly physicals as part of an overall wellness plan to keep Firefighters healthy and safe.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to approve the large purchase order request for Public Safety Health and Wellness in the amount of \$14,000.00 for the annual Firefighters physicals.

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

Mr. Boeres presented another purchase order. Ms. Ellen Horman, Finance Coordinator, had found where two (2) checks sent out as payments were not cashed. Mr. Boeres wanted to ask for a stop payment for them. There is a \$35.00 fee per check to stop payment.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve the stop payment orders on the checks that have not been cashed and have been lost by the companies they were issued to.

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

Mr. Boeres asked the board to sign a letter authoring Mr. Warrick and Ms. Horman to view the investments online from LCNB National Bank. This will help Ms. Horman with the monthly bank reconciliations and she can include the interest in her total amounts.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to sign the letter.

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

Mr. Boeres stated there two (2) residents interested in the Park Board Alternate Position. The board set the time of 5:30 p.m. on September 17th, 2014 before the Trustee Meeting to meet the candidates.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve the start time of 5:30 p.m. on the September 17th, 2014 Trustee Meeting.

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

Mr. Boeres noted he emailed the board a proposed draft of the Tax Increment Finance (TIF) Policy. This policy would give the trustees guidelines to follow. This will be discussed further at the next meeting.

Mr. Ray Warrick, Fiscal Officer, stated he liked the idea of a fleet card and this will be great PR in a non-threatening environment.

Mr. Warrick presented a depository agreement that needed signed for National Bank and Trust. This needed updated for the Auditor's.

Next Mr. Warrick had Resolutions to present that were related to the accounting fixes to exit fiscal emergency. The Financial Planning and Supervision Commission were presented the draft recovery plan at their last meeting and were pleased with it.

Mr. Warrick stated the first Resolution involved a Resolution previously passed on August 6th approving Police Funds being used to pay rent and back rent. The Auditor's want to change how it was done. This will to undo the previous Resolution from August 6th. The second Resolution for approval was also recommended by the Auditors to apply the Police's share of the Bond payment to the larger negative Bond account. This will not affect anything with the plan of clearing the negative Fund balances.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0903A authorizing the amendment of the 2014 Permanent Appropriations. This hereby amends Resolution #14-0806 by rescinding the portions thereof which amended the 2014 permanent appropriations of the township with regard to Fund 2081.

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

Mr. Warrick gave the board a copy of next Resolution which takes the police Funds and putting them against the larger building bond Fund.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0903B authorizing the adjustment of Fund balances and expenditures from the Police Levy Fund (2801) to the Bond Retirement Fund (3101). As a result of such adjustments, the Bond Retirement Fund (3101) balance is reduced by \$233,125.00.

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

Mr. Weber noted he had said reduced the Fund by \$233,125.00, but should have said reduced the negative Fund balance by \$233,125.00 and amended his motion accordingly. Mr. Duvelius seconded the motion.

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

Mr. Warrick presented a third Resolution in regards to the Ambulance Fund. This is step one (1) of the plan to eliminate the deficit funds. The Resolution asks the board approve the ability to go ahead and shut the Fund down, which releases the monies into the General Fund. This will not be done as of tonight. The Resolution states there will be time to perform the necessary management and administrative tasks that must be done to ensure there is no interruption of service. Mr. Duvelius stated again there is no interruption in emergency transport needs or service, the closing of the fund only affects the billing process. Mr. Boeres noted the only section modified was Section 1, and an effective date was added. Section 2 removed a dollar amount because it is unknown at this time.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve Resolution #14-0903C authorizing the transfer of the Ambulance/EMS Fund balance to the General Fund pursuant to ORC 505.84 and ORC 5705.09F.

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

Mr. Warrick stated this is something the township can do and does not have to approach the courts. Once the township receives the second half tax settlement from Warren County comes in the Road and Bridge Fund will be fixed. The other problem in the five (5) year plan due to some of the moves they planned to make, there would be a negative \$97,000.00 in the General Fund at the end of the year, which we do not want to do. The cell tower money will help keep that fund positive. The next Financial Planning and Supervision Commission meeting is September 29th at 10:30 a.m. The board thanked Mr. Warrick.

President Weber opened the floor to the public.

President Weber closed the floor to the public.

Mr. Duvelius noted to Mr. Weber the guardrail at Old 3rd Highway and Foster Maineville Road needed attention.

Mr. Duvelius reported to Mr. Boeres that there is a residence on State Route 48 south of Hatt Swank where they filled in the ditch and it is now like a mudslide into the roadway and now portions of the guardrail is being buried by the mud. Ms. Michelle Tegtmeier, Community Development Coordinator, has sent them a letter regarding this already, but the situation is getting worse.

Mr. Duvelius asked for an update about the salt supply and obtaining more for the upcoming season. Mr. Boeres stated Mr. Hickey has contacted a number of companies to obtain quotes and hope to secure salt soon.

Mr. Wallace thanked Chief Wheeler for letting him do a ride along. He enjoyed seeing the township from the Police side. He would also like to ride with the Fire Department and the Maintenance Department.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to adjourn the meeting at 7:50 p.m.

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