

## Hamilton Township Trustee's Meeting

September 21, 2016

Trustee Weber called the meeting to order at 6:00p.m. Mr. Weber and Mr. Walker were present.

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

Motion was made by Mr. Weber with a second by Mr. Walker to adopt the proposed agenda for the September 21, 2016 meeting.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Motion made by Mr. Weber with a second by Mr. Walker to approve the meeting minutes from the meeting on September 7, 2016.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Motion made by Mr. Weber with a second by Mr. Walker to approve the billing invoices for payment cycle September 12, 2016 – September 16, 2016 checks numbered 76624-76630.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Motion made by Mr. Weber with a second by Mr. Walker to approve the billing invoices for payment cycle September 19, 2016 – September 23, 2016, checks numbered 76631-76664.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Motion made by Mr. Weber with a second by Mr. Walker to approve the withholding payments for payment cycle August 14, 2016 – August 27, 2016, checks numbered 23358446-23358459.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Motion made by Mr. Weber with a second by Mr. Walker to approve Payroll for pay cycle August 28, 2016 – September 10, 2016 Electronic Fund Transfer Direct Deposit Vouchers 1104879949-1104880023.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Human Resource Manager, Kellie Krieger, requested the Board make a motion to approve a cemetery deed to Margaret Williamson lot 80, graves 7 and 8 for a rate of \$600.00 each for a total of \$1,200.00 in the Maineville New.

Trustee Kurt Weber made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Administrator, Ray Warrick recognized the Police Officers and Firefighters/EMT that responded to the murder/suicide on 9-11-2016. Many of them came in on their day off and pointed out that Officer Jimmy Schelldorf, Sgt Lisa Elliott, FF/EMT John Gardner and Assistant Fire Chief Debbie Walker, went above and beyond that day. Police Chief, Scott Hughes explained some of the events that took place on 9-11-2016 and said that everybody did a phenomenal job. Fire Chief, Brian Reese explained that he was out of town, but was very pleased with the feedback he received about his crew.

Police Chief, Scott Hughes presented the number of calls that were received, broke down into types, for the months of June, July, and August. This report also had the number of open Detective cases.

Fire Chief, Brian Reese presented a report of the number of runs for the Firefighters/EMT for June, July, and August. This report also showed training, activities from the summer, PR events, and upcoming training.

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 16-0921, authorizing and approving an increase in township appropriations to reconcile budgets for calendar year 2016 and authorizing the purchase of an ambulance cot and power loader.

Fire Chief, Brian Reese showed a brief video of how the cot and power loader operate.

Trustee Kurt Weber made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 16-0921A, accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor.

Trustee Kurt Weber made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Administrator, Ray Warrick requested the Board make a motion to approve Resolution # 16-0921B, approving a request by the Warren County commissioners to reallocate the Board of county commissioners local government funds beginning in calendar year 2017.

Trustee Kurt Weber made the motion as stated above, and seconded by Trustee Joe Walker.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent

Administrator, Ray Warrick presented the monthly financial review. There is 67% of the year completed and we have collected 61.3% of budgeted revenue. Our second half tax settlement will show up in the next review. With 67% of the year gone, we only expended 53%. The revenue is showing a \$1.2 million short fall. Our run rate is up from last year but there was a reduction of tax monies. The TIF is closed and that shows a short fall of \$526,000.00. We are showing that we have spent \$713,000.00 less than last year.

Administrator, Ray Warrick presented a spread sheet in regards to the savings on health insurance for leaving OPEC-HC.

Administrator, Ray Warrick explained how the township got to the point of where it's at with Mounts Park. The township had a lease option in 1984 and the price was \$200,000.00 which was paid in 4 installments. Mounts Park became township owned in 1987. There are no records

of revenue from the mining at Mounts Park. The baseball fields are being leased for \$1 per year and about a year ago, the park was opened for fishing. A person came to the township wanting to buy Mounts Park and develop a park and asked how much the township wanted. This person made an offer of \$100,000.00 and the trustees said absolutely not. Ray Warrick went back to this person with an amount of \$500,000.00 as discussed in executive session. This person does not understand that this does not include approximately 20 acres of land on 22/3 that holds Station 77. The property was appraised for \$150,000.00. With speculation of septic and water, it is possible that it could possibly appraise for \$450,000.00. The Trustees may accept or reject any bids and they can question the bidder what their intentions are with Mounts Park. Nobody has submitted any bid and no decision has been made by the Board.

Trustee, Kurt Weber stated that it was not on the radar to sell Mounts Park until the potential buyer approached the Township. He also stated that he appreciates the concerns of the residents and a decision has not been made on whether or not to sell the park. Mr. Weber stated that the money from a possible sale might be able to go towards improvements of the other Township parks or towards the roads. Currently, we don't have money available for park capital improvements, nor do we have money to go towards our roads after 2017. At some point we may have to contemplate a levy. We don't want to have to put one on, but we may have no other choice if other revenue isn't available. The last time a park levy was on the ballot it failed.

Trustee, Joe Walker stated that he is thinking out of the box and throwing options out there to see what would benefit the township.

Real Estate appraiser Phil Crawford explained how he did the appraisal. His appraisal was done by shaving off the hypothetical conditions and extraordinary assumptions, nothing but 'what ifs'. Mr. Crawford stated that this property is in a 100 year flood plain, there is no water and no septic. With those conditions, the property is more of a liability. Mr. Crawford stated the highest and best use of this property, in his opinion, is a park.

### **Public Comments**

Mr. Weber opened the floor to the public.

Dave Ehling, 1732 US 22/3, don't sell the park, you will never be able to get it back. Can we start getting these meetings video recorded? This way we can get the information quicker. What are you going to sell off if you need to pave a road? We can put another park levy on and pass a levy for roads. Don't be selling off your assets.

Katy Wuest, Stableview Circle, asked Mr. Crawford how long he was at the property in which he responded for about 1 ½ hours. He also stated that he used the aerial view. Ms. Wuest stated that she was a real estate appraiser and asked how many pulls he used? Mr. Crawford stated about 20-25 sales. Ms. Wuest asked why he only used 3 and not more? Mr. Crawford stated that he used properties that were most comparable under the hypothetical conditions and extraordinary assumptions. Mr. Crawford explained how he came up with 42% to damage out.

Amanda, Eagle Creek Ct, Asked Mr. Crawford where he was given the information that there was no water? That information was given to him by the township.

Trustee Kurt Weber stated that he talked to Paul Kilburn with Western Water and that there is no promise for free taps from Western Water as some residents thought; however, they do have water available along the west side of Stubbs Mills Road. Mr. Weber stated that there is a sanitary sewer line along the biketrail; however, it is a transmission line and can't be tapped for sanitary sewer because it's outside of the Warren County Commissioners urban service boundary.

Amanda asked if the value would change knowing there is water and sewer available?

Mr. Crawford stated that it would need to be re-evaluated.

Amanda asked did we do better research on the new insurance company?

Ray Warrick stated yes.

Amanda asked what was done differently?

Kurt Weber stated that our Broker Liz Fortney did more research.

Fritz Nelson, 6973 Hunters Close, stated that he found out about Mounts Park through social media. He stated that the park is beautiful, please don't sell it. We were among the most desirable neighborhoods. Mr. Nelson stated that he did start a petition in social media that was only released Hamilton Township residents so far and within 7 days there were 204 households that signed the petition. He requested that there be more time for soft copies to be released.

Jason Cupp, 6823 Cloudscape Way, stated that he has served on the park board for 2 years. Mr. Cupp stated that selling Mounts Park would set a bad precedence. He asked what else would be sold? He stated that the parks belong to the citizens of the township and in order to grow a community, you have to have good parks. Mr. Cupp stated that monies that have been promised in the past to go to the parks, have been put in the general fund. If the trustees sell off Mounts Park, you will be a Board that nobody can trust.

Mike Creameans, 9603 S. St Rt 48, stated that fishing at Mounts Park was put on the back burner and several people put time and money into opening Mounts Park. He stated that he also heard that the parks do nothing for the government. The residents are the government of Hamilton Township. We have taken everything else away that brought the community together. If you are entertaining the thought of accepting bids, then you are entertaining the fact of selling the park. If you sell Mounts Park, I hope you could come up with enough money to put back an egg hunt.

Tony Shrenk, 5608 Zoar, stated that he has volunteered at Mounts Park since it has opened. Why are you needing to sell it? He stated that he has 15 grandchildren that all fish there. Mr. Shrenk stated that it belongs to us. What kind of money would you need to make off of it in order to keep it?

Lisa Wilson, 22/3, stated that she feels that the Fire Department should be equipped with the proper equipment and we should not be looking for the correct size equipment in a chaotic situation. We will never be able to buy that park back. Mounts Park has so much to offer and there is a plan in place. Ms. Wilson stated that there should not be another appraisal done and that we should not sell it. Don't sell crown jewels! She stated that we could have put \$500,000.00 into Mounts Park if we weren't trying to get ourselves out of the insurance debacle. She stated to forget about selling the park and there are inexpensive ways to get people interested in the park, and then think about putting a levy on for the parks. Ms. Wilson also stated that we need to consider the range out there and asked if the Board knew how much the range at Butler Tech was to use?

Bill Holiday, 900 Turning Point Lane, thanked the Trustees and the appraiser. He stated that the Board needs to look at the Mounts Park objectively and make a decision. Mr. Holiday stated that he was curious about the buying into the OPEC plan and stated that it was kind of embarrassing.

Becky Ehling, 5465 Zoar Road, stated that she is against the township selling Mounts Park and that it costs the township zero dollars. She also stated that there is income from the farmer that farms the land and that should cover the mowing expenses. If you sell this park, where are you going to find this type of land again? Ms. Ehling stated that it bothers her that the only thing being brought up about the park is the negatives. She asked if anybody had looked into any grants? She stated that there is a master plan.

Julie Perilman, 5730 Chancellor Lane, stated that she is in support to keep the park. She stated that over the years, the township has squandered so many of its assets. Once Mounts Park is gone, you will not get it back. She stated that more research should have been done before an appraisal was done. She stated that the Board needs to take a breather and re-evaluate before making any decisions. She asked was Jefferson Health part of OPEC healthcare?

Ray Warrick stated that OPEC HC was under the Jefferson Health Plan umbrella.

Julie Perilman stated that there were letters that went out in May that were derogatory in nature, yet we have gone back to Jefferson?

Ray Warrick said yes.

Julie Perilman asked Ray Warrick if he could explain that and that she wants it noted that many people in the community would like to know why there were derogatory letters and yet we went back to Jefferson.

Doug Miller stated that at some point we may be able to discuss in more detail the law suit with OPEC HC.

Dan Wilson, 22/3, so we are paying an additional attorney while Doug Miller sits here?

Kurt Weber stated, yes.

Doug Miller stated that it is in litigation and you can't discuss some things while in litigation.

Kurt Weber stated that our legal fees are included in the number given in the spread sheet.

Dan Wilson asked if we were in contract with CTC for another 4 years? What will happen to this contract if the property is sold?

Kurt Weber stated that would be something that would be discussed if a bid is awarded.

Doug Miller stated that if there is a lease on the property, then whoever purchases the land has to uphold the lease.

Kurt Weber stated that by law if the vote was unanimous in executive session that we could have sold it out right without bidding; however, the Board wanted to be open and transparent and put it out to bid so that the public could give their input.

Kevin Ehling, 5465 Zoar Road, asked Kurt if he was going to make him go through with this? Can you make a motion right now to recend accepting any and all bids on the park? You agreed to go back to the person who came to you at \$500,000.00? Was the direction to have an appraisal done in executive session?

Doug Miller stated that the appraisal was under monetary administrator authority, and the appraisal was done for collecting information. The administrator has spending authority.

Kevin Ehling asked what the necessity was to do this in executive session? So, the original person has an advantage since he has been working with you for months. The park sale is getting more advertisement from social media than from the township. Mr. Ehling stated to Mr. Crawford that his appraisal is not helping the residents. Mr. Ehling stated that \$2,300.00 per acre in Warren County is ridiculous. It is a completely inaccurate appraisal because of inaccurate information that was given. Can we make a motion? Recend the motion to accept bids. I do not want the Park sold at any price. Mr. Ehling said the park is invaluable and can never be replaced.

Fred Oeder, 6404 Zoar Road, stated that there is an 8" water line and 2 100 foot wells on the property. Mr. Oeder told the appraiser that he screwed up. He gave the Board a comprehensive map. He stated the trails are all basically there and if you sell it, you will stir up a lot of trouble.

Bruce Scott, E. Foster-Maineville Road, stated that Gary secured 2 free tap ins on the water line. Mr. Scott stated that the CTC fields was a 10 year lease to be renewable after 10 years. He stated that he thinks it is a mistake to sell Mounts Park because once it is gone, we will never get it again and he believes there is water taps because there is a refreshment stand on the comprehensive map.

Philip Ehling, 5632 Zoar Road, stated that there is a lot of history on the piece of land of Mounts Park. If you make a park on the land you can preserve the history but if you sell it, you will never get it back. You can make it a pay lake, put in a campground, and rent out the fields to make money. It is a money maker.

Mary Ehling, 5632 Zoar Road, asked if the pros and cons have been evaluated? What are the pros that outweigh the cons? The families can enjoy this piece of land.

Kurt Weber stated that we are not able as a township to develop the park at this time. He stated that perhaps that somebody else can and that would benefit the township. Mr. Weber also suggested maybe leasing the park.

Mary Ehling stated that money is not the issue, please don't sell off our assets that we can never get back. When you make your decision, please make sure it is in the best interest of the community.

Pat Cremeans, S. St Rt 48, if you lease things out, you are putting money in somebody else's pocket. If we need roads so bad, pay for roads in a different way. Ms. Cremeans stated that everybody wants to keep the park. Ms. Cremeans thanked Tony for his time. Ms. Cremeans stated that Mr. Warrick said he was going to sell the parks and that she was not the only one that heard it and please don't sell the parks because of one man.

Kevin Ehling, asked if the property is sold, is there going to be stipulations? Don't think you are selling it as a park.

Fritz Nelson, 6973 Hunters Close, asked if the decision to accept bids is being determined based on an appraisal that is incomplete?

Kurt Weber, the decision will be based on the bid information received at the public bid opening.

Fritz Nelson, when the bids are open and your decision to sell would be on incorrect information.

Kurt Weber stated that the decision would be made in public session.

Julie Perilman, are you saying that as trustees that you would actually consider the bids that will come in that is based on an inaccurate appraisal? She stated that the township administrator did not do his homework.

Kurt Weber stated that he would want an updated value. The more important question would be would we award the bid? He stated that part of his decision would be based on what he hears from the public.

Julie Perilman asked Joe if he would consider accepting bids on an inaccurate appraisal?

Joe Walker stated that yes he would because the property is being appraised as a park.

Julie Perilman stated that the appraiser was not given the information that he needed to do an accurate appraisal.

Becky Ehling, stated on the 30<sup>th</sup> the bids will be open and Ray needs to do up a spread sheet and the public would not have access to those until the next meeting.

Doug Miller stated that as soon as the bids are open, they are public record.

Becky Ehling stated that if they stand around and discuss the bids a little bit, that is deliberation before an open meeting. Why not just present the information in an open meeting? The public is scared that you go into executive session and come out and make a motion and we have been shut out again.

Kurt Weber stated that anybody can be at the bid opening.

Becky Ehling said but that is not when the decision will be made. She stated that everything in the bid packet is inaccurate and it has been skewed. It needs to be re done.

Mr. Weber closed the floor to the public at 8:55pm.

With no other business at hand a motion made by Mr. Weber with a second by Mr. Walker to adjourn at 8:56pm.

Roll call as follows:	Kurt Weber	Yes
	Joe Walker	Yes
	David Wallace	Absent