

Hamilton Township Trustee's Meeting

November 2, 2016

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

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

Trustee Kurt Weber gave a statement of resignation. Mr. Weber resigned due to an Ohio Attorney General opinion stating that the positions of Deputy County Engineer, which is generally identical to Mr. Weber's position of Chief Deputy Engineer, and Township Trustee are not compatible. Mr. Weber's resignation will take place effective November 2, 2016. (Letter of resignation attached to minutes).

Trustee David Wallace thanked Kurt Weber for his years of service on the township Board.

Fiscal Officer, Jim Hunter thanked Kurt Weber for always being there.

Administrator, Ray Warrick stated that Kurt fulfilled his duties.

Legal Counsel, Doug Miller thanked Kurt for a vote of confidence.

Trustee, David Wallace adjourned the meeting at 6:14 pm.

Letter From Kurt Weber:

November 2, 2016

Dear Hamilton Township Board of Trustees and Township Residents,

As many of you know, as I've mentioned in previous meetings, I work for the Warren County Engineer's Office as the Chief Deputy Engineer, which is basically the County Engineer's first assistant.

Back in 2009 when I first ran for Township Trustee I investigated the compatibility of my position at the Engineer's Office with the position of Trustee. As I recall, the only Ohio Attorney General opinion that existed at that time was a reference to an inspector position working for the County Engineer. The opinion mentioned that the position of Inspector was compatible with the position of Township Trustee provided that the individual recused himself as Trustee from any vote or decision regarding the Engineer's Office. Likewise he would recuse himself from inspecting or being involved with any Township road projects from the Township where he served as Trustee.

As you know, I have made it a practice to follow this model by recusing myself and abstaining from voting on any Township issues that involve the Engineer's Office. Likewise, as Chief Deputy Engineer I have recused myself from any Engineer's Office's duties that involve Hamilton Township. The Warren County Engineer or another one of the Engineers from the office has performed the duty instead of me. Following this approach, I feel that the positions have been compatible and I have successfully avoided any potential conflicts of interest.

Recently the Ohio Attorney General issued a new opinion stating that the positions of Deputy County Engineer, which is generally identical to my position of Chief Deputy Engineer, and Township Trustee aren't compatible. The opinion states two concerns for incompatibility between the two

positions. First, that in the absence of the County Engineer, the Deputy County Engineer assumes the role of the County Engineer. By law the County Engineer is the Townships' Engineer, which the opinion states creates incompatibility between the two positions. Second, the opinion also states that if the Deputy County Engineer performs any engineering or planning of any Township roads or Township road projects of any Township within the County then he can't serve as a Township Trustee.

Over the last several weeks or so, this Ohio Attorney General opinion has been reviewed by the County Prosecutor's Office at the request of the County Engineer, our Township Law Director and other friends of mine who are attorneys. The advice that I have received is that Ohio Attorney General opinions are held in high regard with respect to compatibility of positions or offices. While it's an opinion and I feel that I have served in the two positions appropriately, I want to avoid any appearance of impropriety; therefore, I think it's in the best interest of the Township and the best interest of the County Engineer's Office and in my best interest to resign my duties and position as Hamilton Township Trustee effective immediately on this date, November 2, 2016. I will stop by the Warren County Board of Elections Office tomorrow to make them aware of the vacancy and give them a copy of this letter.

It has been an honor to serve the taxpayers of Hamilton Township. I want to thank all of you for your support and for giving me the opportunity to serve in this capacity. I have thoroughly enjoyed working with all my colleagues and the great Township staff. We are truly blessed to live in this great community. I also want to thank my family for their support and encouragement and most of all I want to thank my Lord and Savior Jesus Christ for allowing me to serve in this capacity.

Sincerely,

Kurt E. Weber

Cc: Warren County Board of Elections (via hand delivery)

I, David Wallace, certify these are accurate minutes of the proceedings of the November 2, 2016 meeting of Trustees.