

# HAMILTON TOWNSHIP TRUSTEES

## September 17, 2014

Mr. Weber called the meeting to order at 5:31 p.m. with Mr. Weber and Mr. Wallace present.

Mr. Weber noted Mr. Duvelius would not be able to attend this evenings meeting.

Mr. Weber made a motion and Mr. Wallace seconded the motion to enter into Executive Session at 5:31 p.m. to conduct interviews for a Park Board Alternate Position.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to reconvene from Executive Session at 6:05 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber noted Executive Session was for interviews for a Park Board Alternate position and noted again that Mr. Duvelius would not be able to attend this evening.

Mr. Weber opened the regular portion of the meeting at this time.

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

Mr. Weber made a motion and Mr. Wallace seconded the motion to adopt the proposed agenda for the September 17, 2014 meeting.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to dispense with the public reading of the minutes and approve as written for the September 3, 2014 meeting.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the bills before the Board with check numbers 73763 through 73801.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay withholding checks with check numbers 73745 through 73763 and payroll direct deposit vouchers numbers 1662 through 1739.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Melissa Brock, Human Resources, asked the board to make a motion to approve the purchase of cemetery lots within the Murdock Cemetery – New Section, lot 121, grave 8, to Mr. Mark Alley at the Hamilton Township resident cost of \$400.00 and the deed reflected would be #2014-19.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock asked the board to make a motion to approve the purchase of cemetery lots within the Maineville Cemetery – New Section, lot 513, graves 1 & 2, to Frank and Norma Borjas at the Hamilton Township resident cost of \$400.00 each grave for a total of \$800.00 and the deed reflected would be #2014-20.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock asked the board to make a motion to approve the purchase of cemetery lots within the Murdock Cemetery – New Section, lot 131, graves 1 & 2, to Joyce and James Roe via Richard Rolland at the Hamilton Township resident cost of \$400.00 each grave for a total of \$800.00 and the deed reflected would be #2014-18.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock asked the board to make a motion to approve the Custodian Job Position as written qualified as a part-time hourly employee, non-eligibility for any paid benefits including insurance, retirement, vacation or sick accrual with an hourly rate established at \$11.00 per hour and a probationary period of six (6) months.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock asked the board to make a motion to hire Mr. Jeff Poynter as a part-time custodian at the current hourly rate of \$11.00 with a probationary period of six (6) months.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Ms. Brock noted in July of 2014 the board approved a transitional and a FMLA assignment for Ms. Becky Locke, Hamilton Township Fire Rescue. Ms. Locke did not utilize all of her time and wanted to use the remainder of time for a family situation. There will be no transitional duty just an intermittent leave.

Ms. Brock requested an Executive Session to discuss the Teamsters Union Contract.

Mr. Dan Reigner, Little Miami Chamber of Commerce, presented a video from the Cardboard Boat Regatta that occurred last month. The event was a great success for all and they cannot wait to do it again next year. Mr. Weber recognized Dan Reigner, Dusty McCleese, Richard & Kathy Oeder, Michelle Tegtmeier, Darcy Workman, Candace Frump and Chief Greatorex with Certificates of Appreciation for all their hard work to make the event possible. A round of applause was given by all. Mr. Oeder stated this was a fun event and very enjoyable.

Mr. Wallace stated he attended the Touch-A-Truck event and noted each year it is better and better. We have not only township residents, but neighboring communities who attend. Mr. Wallace recognized Kenny Hickey, Ellen Horman, Kathy Oeder, Candace Frump and Michelle Tegtmeier with Certificates of Appreciation for all their hard work at the event. Mr. Weber stated there were no parking spaces available due to the good crowd and having it at the Shoppes of Grandin on SR 48 gave the event good exposure. A round of applause was given by all in attendance. Ms. Michelle Tegtmeier, Community Development Coordinator, stated the event could not be possible without the Hamilton Township Police Department and the Fire Department.

Mr. Weber presented a Resolution to Richard and Kathy Oeder proclaiming September 11, 2014 'Les & Mary Oeder Family Day' within Hamilton Township, Warren County, Ohio. Resolution #14-0917E recognized the Oeder Family owned business celebrating 85 years of dedicated service with the township.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917E proclaiming September 11, 2014 'Les & Mary Oeder Family Day' within Hamilton Township.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

A round of applause was given by all in attendance. Mr. Oeder shared a story about his family's operational 1923 Baker Steam Traction Engine.

Mr. Weber read Resolution #14-0917F proclaiming September 19, 2014 as 'Charles Hamilton Company Day' within Hamilton Township, Warren County, Ohio for their 50 years of dedicated service and a second generation family owned business.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917F as stated above.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

A round of applause was given by all in attendance.

Mr. Gary Boeres, Administrator, stated we bid out the assignment of the Cell Tower Lease a few weeks ago. The township received two (2) bids, the highest being Wireless Capital Partners (WCP). Mr. Boeres would like to pursue that bid. He is worried there are factors that would cause them to reduce the amount proposed, but would like the Law Director to be given permission to sign the letter of intent and move forward with getting a final amount. Mr. Warren Ritchie, Law Director, had reviewed both bids and stated they are slightly different bids in the way they were presented. Mr. Ritchie stated by signing the letter of intent and sending it back the township is not bound to deal with them. The Board agreed to move forward and have the letter of intent sent to WCP.

Mr. Weber made a motion and Mr. Wallace seconded the motion to authorize Mr. Gary Boeres, Administrator, sign the letter of intent to Wireless Capital Partners.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres noted the Park Board had worked with Little League Baseball to approve a lease agreement for one (1) field at Testerman Park. The Park Board has approved and Mr. Ritchie has reviewed it. Mr. Wallace stated the agreement states that restrooms are

provided and he would like to see it clearer that the restrooms provided are the ones that are already there, not portable restrooms. Mr. Ritchie stated he will adjust the agreement regarding the restrooms.

Mr. Wallace made a motion and Mr. Weber seconded the motion to authorize Mr. Boeres to sign the lease agreement once the requested change has been made about the restroom disclosure for Little League Baseball.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes

Mr. Boeres prompted discussion about the gas fleet card with United Dairy Farmers (UDF) for the purchase of township gas. Mr. Boeres needs a motion to pursue the fleet card and the authorization to sign the credit application. The Standard Operation Procedures (SOP's) are in place for each department. Mr. Wallace asked when the effective date would be. Mr. Boeres stated as soon as the credit application is signed, a meeting will be held with UDF to verify the cards restrictions are in place and it will move quickly from there.

Mr. Weber made a motion to authorize Mr. Boeres to sign the credit application with UDF and move forward with the fleet card.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres stated the board agreed to hire a part-time employee with no benefits to take the place of the cleaning contract. Bids for township cleaning services were opened a few weeks ago. Mr. Boeres will send notice to those companies about the bids being rejected, and would like to send a letter to the current contracted company, Blue Chip, that we will terminate the existing contract effective October 1<sup>st</sup>, 2014.

Mr. Weber made a motion and Mr. Wallace seconded the motion to send notice to the cleaning contract bid companies and to terminate the current contract with Blue Chip for the township cleaning services.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to reject the 2014 Cleaning Bids received.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres presented large purchase order requests next. There was a mold issue at Fire Station 77, which temporarily closed the station, but is now back in operation. The mold was cleaned by Koch and Company. Mr. Koch of Koch and Company believes he knows how the moisture is getting into the building by a roofline issue. He has submitted a bid of \$5,825.42 to fix the roof line issue and this include a three (3) year labor warranty. Mr. Weber asked if this is the same spot mold was found in before. Chief Mark Greatorex, Fire Chief, stated it is a different area.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the large purchase order request for Koch and Company for \$5,825.42 for the repair of the roof at Station 77.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

The next request was for the Fire Department for turn-out gear. The first purchase order request was for \$5,233.35 for boots from Vogelpohl Fire Equipment and the second was for \$25,910.00 for the coats and pants from Webco Fire Equipment. Chief Greatorex stated turn-out gear protects the guys from heat and other toxins in the atmosphere. The typical shelf life for the gear is five (5) years as for the boots as well. The cost for each set is roughly \$2,800.00 and the township needs 10 sets this year replaced. Other factors that affect the gear aging them is sunlight, diesel exhaust and combustion particles they encounter when entering a building.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the purchase order request for \$5,233.35 for boots from Vogelpohl Fire Equipment and \$25,910.00 for the coats and pants from Webco Fire Equipment.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

The last large purchase order request is the Tax Increment Financing (TIF) payment to the Warren County Career Center for the tax year 2012 and collection year 2013. The amount is \$33,741.99. The money was appropriated for. Mr. Wallace asked Mr. Ray Warrick, Fiscal Officer, if he was ok with the approach. Mr. Warrick stated the approach being used makes the most sense.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the purchase order request of \$33,741.99 to the Warren County Career Center for the TIF payment.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres asked the board if they wanted to discuss the TIF Policy or wait until Mr. Duvelius could be in attendance and it was decided to discuss it at the next meeting. Mr. Weber and Mr. Wallace did note they liked what they had seen so far.

Mr. Boeres presented Resolution #14-0917G identifying the Peters Cartridge Factory site development as a high priority initiative for future development in Hamilton Township. The company is going through the process of settling the financing for the project and part of the financing is the company is seeking historic housing credits through the State of Ohio. Their application would rate better if they received a Resolution of support from the local community. There is no obligation. Mr. Wallace asked where the project stands as of now. Mr. Boeres stated the company is currently trying to evict the current tenants on the property and wait for the EPA to come in and do the clean-up. The clean-up could start possibly this November, but realistically next spring.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917G identifying the Peters Cartridge Factory site development as a high priority initiative for future development in Hamilton Township.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres presented the nuisance properties as being the Indian Burial Ground on Weeping Willow Lane and 7704 Haverhill Lane. There was also an inoperable vehicle at 7704 Haverhill Lane. This was presented in Resolution #14-0917.

Mr. Weber made a motion to approve.

Mr. Wallace asked about the inoperable vehicle and if it would be moved. Mr. Boeres stated yes, it would be towed. Mr. Wallace asked how long the vehicle had been there.

Mr. Boeres stated he didn't know exactly how long, but it had been quite some time. Mr. Ritchie stated he had reviewed information about this from Ms. Michelle Tegtmeier, Community Development Coordinator, and there is a provision that if a vehicle is inoperable on a property that it can be declared a nuisance after a due process notice is given to the property owner. Mr. Wallace asked if anyone was living in the house and wanted more information before he felt comfortable declaring the vehicle a nuisance. Mr. Weber stated the Resolution does not specifically mention the vehicle. Mr. Ritchie stated he did not discuss the format of the Resolution to be presented tonight, but the board can strike the reference to the vehicle and he will work with Ms. Tegtmeier to refine a Resolution where vehicles will be covered. He will bring the code sections regarding vehicle violations to the next meeting to familiarize the trustees as it is a different process.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917, 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 striking the vehicle reference.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Boeres asked the board to consider sending a letter to Morton Salt about their business practice in regards to not supplying road salt this year with no advanced notice. Mr. Weber stated he would like to see this done and not only because they weren't supplying the area this year, but because we were told they had salt and we would be receiving quote information. Mr. Boeres stated he would send the trustees a draft of the letter when it was ready. The next step Mr. Boeres wanted to see done was letting the residents know of the salt shortage through the website and Facebook and use quotes from the trustees. Mr. Weber noted on September 30<sup>th</sup> there is a Warren County Engineer's meeting regarding salt and the lack of supply. Mr. Warrick wanted to point out that supply and demand is only one part of the issue, at this point the township can't afford to buy any more salt. There is a money side issue to this as well. Mr. Wallace noted he wants to look at not being in this position next year, because he believes other townships were able to pull together. Mr. Warrick stated no, other townships are worse off than us. Mr. Weber stated it was hit or miss. Mr. Wallace asked if it mattered if we team up with another community next year to get salt. Mr. Warrick stated we will do whatever we have to do. Local Government funds were pulled back by the State and those are the funds we use for this type of thing. There are two (2) sides to this issue. Mr. Boeres stated the township is willing to work with other communities and has been discussing tagging in with the County bid next year if possible or with Deerfield Township. The ball was not dropped on this issue, we have just bought salt from Morton for so long and then to be denied at such a late date was a hit. Mr. Weber thanked Mr. Boeres and Mr. Kenny Hickey, Maintenance Foreman, for their work on this issue.

Mr. Ray Warrick, Fiscal Officer, presented the August Bank Reconciliation and the month was closed without any issues. Mr. Warrick provided a recap sheet showing the highlights of the reconciliation for the audience. The township is 66% through the year and has collected 58% of the revenue, but there is no concern there as the second half of the year property tax settlement of \$3.3 million was received this week. Only 52% of the budget has been spent.

Mr. Warrick stated on May 7<sup>th</sup>, 2014 the board passed a Resolution giving permission to move funds out of the Fire Legacy Fund because of a different plan at that time.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917A authorizing the rescission of Resolution #14-0507D.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Warrick provided another Resolution which was a ratification and slight adjustment in language from a Resolution that was passed at the last meeting giving permission to pursue closing the Ambulance Fund once all administrative and management items were done. Those items are done and the Ambulance Fund was closed on Monday. There is no change in service or operation. The only difference right now is the information for the runs will not be passed on to the third party provider that does the billing. We are in the gap window now and until the new Fund is set up the money will not come to us. It was discovered that when a new third party billing company is selected, it will take 60 to 90 days to get approved with Medicare et al and the funds can be received again. The date the contract is signed with the new provider, while the approval process is going on, those billings will pool at the county and then the new provider can go back in time and submit those claims. The Fire Funds are in good enough shape that it can handle the disruption. The current company has been given a 90 day termination notice and during that time they will conduct a work out for the billings from the past. They will be collected and any funds that come back to the township will go into the General Fund during the work out period.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution#14-0917B ratifying a Fund Balance adjustment from the Ambulance/EMS Fund to the General Fund.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Warrick stated the next Resolution is allowing the township to move money from the General Fund to the two (2) Building Bond Fund Accounts that are negative. This will bring them to a \$0.00 balance. If you refer to Exhibit 'A' attached to the Resolution, it shows the mechanics of the appropriation and it shows the actual amount that leaves the General Fund to be \$2,167,116.72. This is a little less than what is being transferred to the General Fund and the rest will remain in the General Fund. Mr. Warrick stated the other step of this process, when the money was moved from the EMS to the General Fund, one side is the appropriations and the other is it moved extra revenue into the General Fund and it requires an amended certificate of our budgeted revenue from the Auditor. That was approved today.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917C authorizing the amendment of the 2014 permanent appropriations per the attached Exhibit 'A' and increasing the appropriations by \$2,167,116.72.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Warrick noted the last Resolution he was presenting gives permission to transfer the appropriation just made to the two (2) Building Bond Accounts. Exhibit 'A' with this Resolution shows how it works. It will bring both the accounts to a \$0.00 balance.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-0917D authorizing the transfer of General Funds to the Building Bond Funds per the attached Exhibit 'A'. This is a decrease to the General Fund of \$2,167,116.72 with an increase to Fund 3101, New Building Bond Retirement Fund of \$1,928,352.77 to bring erase the negative Fund Balance and bring it to \$0.00. There is also an increase to Fund 3102, Bond Retirement-New Building Fund in the amount of \$238,763.95 to erase the negative Fund balance and bring it to \$0.00.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Ritchie wanted to weigh in on the process and wanted to comment on the integrity of the process. The Administrator and Fiscal Officer compared notes, the Administrator gave him a list of the Resolutions he wanted drafted. He sends them back when drafted for review and the Administrator and Fiscal Officer adjust them. Then he gets input from the Local Government Services who assist with the adjustments to the Resolutions and then it is presented to the Board. Mr. Ritchie stated since it was decided to do independent timely audits; they should sail through for approval. Mr. Weber thanked the public for their patience through this process and for their support. Mr. Weber also thanked Mr. Boeres, Mr. Warrick, the trustees, and Mr. Ritchie. Mr. Boeres noted to thank the Fire Department in particular since it was their Funds. Mr. Weber thanked Chief Greatorex for his cooperation. Chief Greatorex stated when you stand back and look at the big picture, the eventuality would have been that the money would have come from the tax payer to begin with in order to offset the balancing of the money if it wasn't transferable, so I looked at it as making a contribution to assisting in getting the township out of Fiscal Emergency, but also a contribution to the residents that live here by not imposing additional tax on them. Mr. Wallace and Mr. Weber thanked Chief Greatorex. Mr. Weber went on to thank all the department heads and Mr. Rusty Holman, Volunteer Financial Analyst, and Dr. Frank Colon.

Dr. Colon stated at the last Financial Planning and Supervision Commission meeting he discussed the need for the township to explain to the residents what is going on and how it was resolved. The specter of theft is what bothered a lot of people and this is not there. Dr. Colon believes there should be a press release. Dr. Colon stated this may be over by the end of the year. Mr. Warrick stated the timing looks such that the recovery plan will be redrafted and shared it with the Commission in a couple of weeks. The final draft will be submitted at the October meeting to be approved by the trustees. The last piece is the accounting report. The Commission will pass a Resolution asking the Auditor to take us out of Fiscal Emergency. The Auditor can't do that until the end of December after he looks at the year-end numbers to make sure it all worked out. So January looks like the projected end date right now. Mr. Warrick would like to wait until everything is officially over before a press release.

Mr. Warrick had two (2) remaining motions he asked the board to make.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve the termination of the Med3000 contract.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve a contract with a new third party billing company for EMS with Med Account Management.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes



Mr. Warrick stated on the contract with Med Account Management, they are not asking for a trustee signature specifically, just someone. Mr. Weber asked about the mechanics of this contract as he was unsure how it would work. Mr. Warrick stated it is virtually the same as what is being done now although there are some advantages to the new company. The new company is cheaper, local (Evendale), and have a more aggressive hands on approach. Chief Greatorrex stated he and Mr. Warrick met with two (2) different billing companies and Med Account Management had the best presentation and the other company was in discussions about being sold. The run volume we have is in their realm to take care of. There was discussion with Dr. Colon about the billing process.

Mr. Warren Ritchie, Law Director, stated the board accepted the retirement of Mr. Millard Allen, Road Supervisor, at their last meeting. Mr. Ritchie had no action for this tonight as he is still waiting on the settlement agreement paperwork.

President Weber opened the floor to the public.

Mr. Rusty Holman, Volunteer Financial Analyst, stated he attended the previous Park Board meeting in regards to fund raising for playground equipment replacement and they discussed how to mark the funds for park. Mr. Ritchie stated the township needs to determine if it is an independent organization like a non-profit organization. The board also needs to decide at what extent they want to be involved or delegate township employees at the township expense to help form or organize this non related independent entity. Mr. Warrick suggested the township not be involved at all. Mr. Wallace noted the township would be involved with the Testerman playground equipment and presenting the plan of how to raise the funds, but doesn't want to start mixing money again. Mr. Weber stated he was supportive of the parks, but didn't want to get into a mess we shouldn't be in.

President Weber closed the floor to the public.

Mr. Wallace asked for everyone to keep Little Miami in their prayers as they go through this difficult time. Mr. Weber stated thoughts and prayers go out to the family.

Mr. Weber made a motion and Mr. Wallace seconded the motion to enter into Executive Session at 8:06 p.m. to discuss the Union Agreement for the Teamsters with Ms. Brock, Mr. Boeres, Mr. Ritchie, Mr. Warrick and the trustees.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to return from Executive Session at 8:17 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber noted Executive Session was to discuss the Union Agreement for the Teamsters, Road Department.

Ms. Brock asked the board to make a motion to approve a memorandum of understanding with the Teamsters Local 100 Road Union regarding amendments related to overtime and payouts for the membership for the duration of the agreement set to expire December 21, 2015.

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

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes

Mr. Weber made a motion and Mr. Wallace seconded the motion to adjourn the meeting at 8:19 p.m.

Roll call as follows:	Kurt Weber	Yes
	David Wallace	Yes