

HAMILTON TOWNSHIP TRUSTEES

October 1, 2014

Mr. Weber called the meeting to order at 6:03 p.m. with Mr. Weber, Mr. Duvelius and Mr. Wallace present.

The Presentation of the Colors was done by Boy Scout Troop #81 and 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 October 1, 2014 meeting.

Roll call as follows:	Gene Duvelius	Yes
	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 17, 2014 meeting.

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

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 29, 2014 Special Meeting.

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

Mr. Weber made a motion and Mr. Duvelius seconded the motion to pay the bills before the Board for checks numbered 73809 through 73845.

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 withholding checks for checks numbered 73802 through 73808 and payroll direct deposit vouchers numbered 1740 through 1828.

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

Mr. Weber opened the public hearing portion of the meeting.

Ms. Michelle Tegtmeier, Community Development Coordinator, presented the Stage II & III Final Site Plan for Kiddie Academy, Lot #1, located at 5463 S. State Route 48, Hamilton Township, Warren County, OH 45039. The building is 10,000 square feet with nine (9) class rooms for children ages infant to grade school. The landscaping plans show the west and south side of the building in compliance with the zoning requirements. The north and east sides need to be supplemented with one (1) tree every 30 feet plus a six (6) foot high planting meeting the minimum 50% opacity requirement. The Warren County Regional Planning Commission requests the shrubs shown next to the school be evergreens. Staff strongly suggests using the acorn lighting fixtures as found in the

neighboring developments in the township. The Hamilton Township Zoning Commission requests there are no lighting wall packs on the building. A ground mounted sign for all three (3) lots is proposed, but since one of the businesses sets so far back from the road they are allowed a separate ground mounted sign in front of their lot. The proposed building signage is 26.25 square feet over the allowed amount. Staff does ask that this be adjusted to be in compliance with the zoning code and be resubmitted. Staff does recommend approval of the plans with the recommendations from the Warren County Regional Planning Commission, Zoning Commission and the Ohio Department of Transportation (ODOT). Staff does ask for a requirement of sidewalks to run along State Route 48 in front of the development to be installed as part of the construction process. At the Zoning Commission meeting the dumpster location was an issue and discussed. New plans were submitted showing a permanent dumpster location in the rear of the building.

Mr. Weber asked where the original site of the dumpster was located. Ms. Tegtmeier stated it was in the front of the building. Mr. Wallace asked about the recommendations of the various review bodies and whether their requests are required or requested. Ms. Tegtmeier stated staff is asking for the recommendations. Mr. Duvelius was concerned with external lighting on the playground.

Mr. John Kennedy, Neyer Properties, stated he is working through the final design. The dumpster has been moved per the Hamilton Township Zoning Commission and he will try to match the acorn lighting found in other developments. Mr. Wallace asked if Mr. Kennedy had any concerns or issues with any of the recommendations. Mr. Kennedy stated there would be lighting on the playground for winter hours, but the business closes at 6:00 p.m. so there will be some light during dark hours. Mr. Kennedy also stated his distributor is trying to create something as close as possible to the acorn style fixture so it should not be an issue. Mr. Weber asked if permission was obtained from ODOT for access from State Route 48. Mr. Kennedy stated a traffic study has been approved. Mr. Wallace asked about the time frame on the road work. Mr. Kennedy stated per ODOT the work has to be done before they open.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-1001B approving the preliminary and final site plans by Neyer Properties for Kiddie Academy located at 5463 State Route 48, Hamilton Township, Warren County, Ohio.

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

Ms. Melissa Brock, Human Resources, asked the board to make a motion to approve the transfer of Ms. Mae Jones and her heirs cemetery lots purchased in 1927 within the Maineville Cemetery – lot 618, grave 7, and the deed reflected would be #2014-21.

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 presented the proposed cemetery policies for approval and an updated fee schedule. Research was done to compare pricing between our current price list and surrounding townships. Hamilton Township was very low in comparison to others. Mr. Brock read a preview of the Rules and Regulations Policy:

The **CEMETERY RULES AND REGULATIONS POLICY** states a general administrative and cemetery management guidelines for maintaining a level of care that our lot holders deserve within the cemeteries.

Cemeteries are operated by the Hamilton Township Board of Trustees under the direction of the Township Administrator. They are operated in conformance with the Laws of the State of Ohio, and in accordance with the appropriate principles of good conduct which the Trustees believe should govern the operation of the cemeteries. Cemetery records are maintained at the Hamilton Township Administration Building. Information and assistance regarding burials, deeds, transfers, etc. is available by calling 513-683-8520 or by email.

The Hamilton Township Cemeteries are not a permissible burial ground for animals or pets.

It is understood that Hamilton Township does not assume responsibility for the theft, disappearance or wildlife damage of any floral arrangement or other decoration and reserves the right to immediately remove any decoration which does not comply with our decoration regulation.

Ms. Brock stated there was list of what decorations that were prohibited and when flowers would be cleaned up along with vases, maintenance and enforcement rules. Mr. Wallace asked if there was a previous policy in place. Ms. Brock stated there were no official policies that were adhered to on a regular basis. Mr. Gary Boeres, Administrator, stated there are some very passionate people who care for gravesites who may not like the new rules being enforced. Mr. Boeres wanted to make sure the trustees would help support the policy if they received calls from residents.

Ms. Brock presented the updated fee schedule. Mr. Weber asked about the grave cost itself. It was noted a resident fee would go from \$400.00 to \$600.00 and a non-resident would go from \$700.00 to \$1,000.00. Mr. Wallace asked if we were comparing pricing as far as the same level of cemetery or cemeteries we want to be like. He stated he would like to do some more research and view other cemeteries to see if we are on the same level to be charging the same pricing. Ms. Pat Cremeans, Resident, asked if we were comparing to neighborhoods around us. Ms. Brock stated she did check with them and even though it is not shown on her spreadsheet, Hamilton Township was still lower than their pricing.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to approve Cemetery Policy Rules and Regulations.

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

Ms. Brock requested an Executive Session to discuss Union Negotiations with the Fire Department.

Ms. Tegtmeier presented a Resolution in regards to an inoperable vehicle at 7704 Haverhill Lane, Maineville, OH 45039. This property has been an issue since October 2011 with high grass. The township and the Home Owners Association (HOA) have been working together to keep the grass cut. The HOA is currently in the foreclosure process with this residence. Mr. Warren Ritchie, Law Director, has helped with a resolution to make sure the process of cleaning up the property is done in compliance with the ORC. The complaints in regards to the vehicle started about four (4) months ago. A letter was sent to the property owner on June 5th, 2014 and again on June 20th. There has been no one in the home for about six (6) months as far as she knows. If the trustees approve the resolution, Michelle will post a notice on the vehicle. If nothing is done within the give timeframe the vehicle will be removed. Mr. Wallace asked where the vehicle would go once removed. Mr. Ritchie stated it would be towed in the same manner as a car that was broken down or abandoned along the roadway. The statute dictates that the vehicle must clearly be inoperable. Ms. Tegtmeier stated in Section 4 of the Resolution, the Administrator is directed to cause the removal by using resources such as a private contractor which is paid from the township General Fund and then a lien can be placed on

the property. Mr. Ray Warrick, Fiscal Officer, asked if the township had any liability if someone comes looking for the car. Mr. Ritchie stated no, not if notice has been given and the law has been followed and the statute is written pursuant to the Ohio Revised Code (ORC) Section. The vehicle has to be at least three (3) model years old or older, apparently inoperable and extensively damaged. Mr. Dan Phipps, stated once a new owner takes possession of the home, they can have it towed off of their property after four (4) hours. Mr. Weber asked about posting a notice on the vehicle for 14 days after today before it is towed. Mr. Duvelius suggested marking the tire to see if it moves. Mr. Weber stated the 14 day notice is in the Resolution.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-1001C authorizing the removal of Junk Motor Vehicle or Vehicles pursuant to Section 505.871 of the Ohio Revised Code, dispensing with the second reading and declaring an emergency for 7704 Haverhill Lane, Hamilton Township, Ohio.

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

Mr. Ritchie clarified there would be a 14 notice to move the car or after the 14 days the board would make the determination as they are doing this evening. Technically it could be moved tomorrow as per the Resolution. The added 14 day notice is just a caution.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to state after the 14 day notice has been posted on the vehicle, if no action has been taken by the owner, on the 15th day the car shall be removed through the administrative power through the Zoning Department.

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

Mr. Ritchie stated this format will be saved for future use if needed and he will amend them by adding a paragraph about the 14 day additional notice.

Mr. Gary Boeres, Administrator, noted Elite Automotive is having a ribbon cutting on Friday, October 3rd at 12:00 p.m. Mr. Boeres proposed Resolution #14-1001A proclaiming October 3rd, 2014 as Elite Automotive Day within Hamilton Township, Warren County, Ohio.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to approve Resolution #14-1001A.

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

Mr. Boeres requested ratification of the electric aggregation agreement. Hamilton Township entered into an agreement with DERS for the Township facilities and lighting districts at a rate of 4.9 cents per kWh for a three (3) year fixed agreement. This is a savings over the current price of 6.14 cents per kWh for township facilities and lighting districts. This was emailed to the board independently asking for permission to sign the contract and now it needs ratified.

Mr. Duvelius made a motion and Mr. Weber seconded the motion to ratify Mr. Gary Boeres, Township Administrator's signature on the Electric Aggregation Contract for township facilities and lighting districts.

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

Mr. Boeres stated this is a 20% savings cost for the township on the electric cost. The township was not eligible for the original aggregation program because of the amount of electric is more than a typical residential user so we are in a business class category.

Mr. Boeres noted at the last meeting the board agreed to send a letter to Morton Salt to voice our opinion of the displeasure of not receiving salt or a letter in regards to the salt for the 2014-2015 season.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to authorize Mr. Weber, Trustee Board President, to sign the letter.

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

Mr. Boeres prompted discussion about Mounts Park mowing. A Road Department employee had brought to his attention that a few times a year the grass is cut and it was suggested a local farmer bail hay in this area and in exchange the township would not have to provide the labor, fuel and equipment to do the work. Mr. Gary Biggs, local farmer, stated he was willing to do this after discussion with Mr. Boeres as long as he can keep the hay. Mr. Ritchie drafted an agreement allowing him to keep what he cuts as long as it is done twice a year. Mr. Boeres did ask that Mr. Biggs get prior approval before using any chemicals for weeds because of the lake and nearby vineyard. Ms. Becky Ehling stated the Oeder family had a written agreement and thinks it may still be in effect. The family pays \$100.00 per year to the township for cattle to graze in this area. The payment is usually done in September or October each year. The payment would come from ZFC or from Carl W. Oeder Trucking. This agreement was done when the land was purchased as she recalls. More research will be done and it will be brought back before the board at their next meeting.

Mr. Boeres stated the Tax Increment Financing (TIF) policy language had been sent to the Trustees a few meetings ago.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to approve the TIF Policy as presented.

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

Mr. Boeres stated the township pays a considerable amount of money for the IT Services (Phone, Long Distance, Cable). The township has paid almost \$80,000.00 for these services so far this year. An IT Committee was created to view the services and review the pricing. A comparison was also done for internet and email services. Firefighter Sean Connelly is on the committee and has been very helpful. A company named Go Concepts can provide IT services at an estimated cost of \$3,322.65 per month. They were the lowest of three (3) bids. Mr. Boeres would like to move quickly so the Township can cancel the current contract with the more expensive mindSHIFT Technologies. The new proposal will serve the township building, maintenance department and both fire stations.

Right now, we obtain IT services for just the Admin./Police Building and we are paying around \$40,000.00 per year. Mr. Boeres would like to move forward with this agreement as quickly as possible and would like the Board to make a motion to enter into an agreement with Go Concepts and allow the Township Administrator to sign the new agreement. Mr. Duvelius asked about the safety factors involved. Mr. Boeres stated the pricing and service level was an apples to apples comparison. Mr. Rusty Holman, Volunteer Financial Analyst, stated Go Concepts is located in Lebanon so if anything were to happen or assistance was needed they are close to help us. The services provided are identical. This is only Stage One (1) of the project and the next stage is to look at the fiber optic network by combining vendors and tying everyone to the same server.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into an agreement with Go Concepts for the township IT Services at a cost not to exceed fee of \$3322.65 per month and cancel the mindSHIFT month to month contract.

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

Mr. Boeres will have an exact cost for the board at the next meeting.

Mr. Boeres stated the township email addresses can also be purchased out-right or through an IT service for a monthly fee. The price for a one (1) time purchase would be \$3,975.00 and the township would own the email addresses.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to authorize the Township Administrator to make a one-time purchase of township email address licenses as soon as funding becomes available with a cost not to exceed \$4,000.00.

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

Mr. Boeres prompted discussion on more possible savings for the township. The township is paying over \$1 million for health insurance for all the full-time employees. Some townships and companies have gone to a health committee where the employees are given a set amount to spend and they find a policy that would fit within the pricing parameter. The current policy expires October 2015, so options could be explored now. Mr. Duvelius asked if this would change the consortium. Mr. Ray Warrick, Fiscal Officer, stated he would like to see the study move forward. Mr. Weber liked the idea of the employees getting to choose what coverage they wanted, but agreed the price had to come down. Mr. Wallace stated he wanted to let the voters know if the trustees utilized the insurance or not. Mr. Weber and Mr. Duvelius stated they are both currently taking the township insurance. Mr. Wallace stated he is not. Mr. Wallace stated he wanted to see the list of benefits on the website since the residents are essentially paying for the employee benefits and insurance.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to move forward with a healthcare committee to help reduce the cost of health insurance premiums.

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

Mr. Boeres stated Fire Chief Mark Greatorex has been working on a Standard Operating Procedure (SOP) for mandating personnel to stay when the minimum staffing level goes below six (6) people on duty. The new SOP drafted by the Fire Chief addresses the

situation and employees can be mandated when minimum staffing levels are not met. Mr. Boeres will email the policy to the trustees before the next meeting and they can act upon it at the next meeting. Mr. Wallace asked if this would differentiate between the full/part – time members and volunteer. Chief Greatorex stated it would be for the full time personnel. Mr. Boeres stated a policy needs to be in place fairly quickly to address a staffing level situation that occurred over the past weekend when only three employees were on duty during a shift.

Mr. Ray Warrick, Fiscal Officer, presented Resolution #14-1001. This ratifies the changes to the budget and correct fund balances.

Mr. Weber made a motion and Mr. Wallace seconded the motion to approve Resolution #14-1001 ratifying the amendment of the 2014 Budget Appropriations as show in Exhibit A for Fund 2281.

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

Mr. Warrick presented the Cash Summary by Fund that shows no negatives as of today. All adjustments and corrections have been made. The next sheet showed a Comparison of Budget & Appropriations. This report also shows no negatives after all the adjustments have been made. The end of year cash projections are \$6,195,000.00.

Mr. Warrick presented a draft Five Year Recovery Plan. This is the second draft. This draft was reviewed by the Financial Planning & Oversight Commission on Monday. The draft is updated and he would the like the board to review it and adopt it at the next trustee meeting. Mr. Warrick reviewed the conditions that put the township in Fiscal Emergency and how they have been fixed. The Five Year Plan has been adjusted for the affected funds. There will be a closer look into the Police Department and the levy. Mr. Warrick stated cost cutting ideas have moved quickly as it is tax payer’s money. A draft will be created on how to announce and explain the fiscal emergency situation and detail the steps of recovery from the fiscal emergency. Mr. Warrick believes it is the township’s responsibility to be aggressive in exploring angles to recover some of the funds from mistakes made in the past. Mr. Warrick also wanted to look into the liability insurance as it is time to renegotiate this contract.

Mr. Warrick stated he is amazed at how fast we got through Fiscal Emergency and into cost cutting and contract issues. Mr. Warrick commended the management team at the township. We are on course to have the State Auditor, after the first of the year, to be able to declare that Hamilton Township is out of Fiscal Emergency. Mr. Weber thanked everyone for all their hard work. Mr. Warrick clarified that we could not be taken out of Fiscal Emergency until the first of the next year because the statue states the auditors have to see the end of the year numbers before removing the Township from the designation.

Mr. Warren Ritchie, Law Director, presented paperwork about Mr. Millard Allen’s retirement and needed ratification of the agreement.

Mr. Weber made a motion and Mr. Wallace seconded the motion to ratify the retirement agreement signed off on by Ms. Melissa Brock, Human Resources, with Millard Allen.

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

President Weber opened the floor to the public.

President Weber closed the floor to the public.

Mr. Wallace thanked Phipps Towing for his donation to make the fishing days happen at Mounts Park.

Mr. Weber stated he had no update regarding the lack of ditch grading on State Route 48 east of Hatt Swank.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into Executive Session at 8:01 p.m. to discuss the Union negotiations for the Fire Department and interview a Park Board candidate with Ms. Brock, Mr. Boeres, Mr. Ritchie, Mr. Warrick, Chief Greatorex and the trustees.

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 return from Executive Session at 9:17 p.m.

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

Mr. Weber noted Executive Session was to discuss the Union negotiations for the Fire Department and interview a candidate for the Park Board.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to appoint Amanda Martinson as a full time Park Board member.

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

Mr. Weber made a motion and Mr. Wallace seconded the motion to appoint Jason Cupp as an alternate Park Board member.

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

Mr. Duvelius made a motion and Mr. Weber seconded the motion to adjourn the meeting at 9:19 p.m.

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