

HAMILTON TOWNSHIP TRUSTEES

April 1, 2015

Mr. Weber called the meeting to order at 6:02 p.m. with Mr. Weber, Mr. Duvelius and Mr. Wallace 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 April 1, 2015 meeting.

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

Mr. Weber asked if there were any corrections to the minutes. Mr. Duvelius noted on page 4, he feels the public should be noted somehow on their reaction to reflect an accurate minutes. Mr. Weber stated that was initially in the draft copy of the minutes and his thought was in the past it was noted a round of applause, but was led from the Board's direction. There were people that clapped, but not everyone responded that way. Mr. Wallace agreed with Mr. Weber and the minutes need to reflect what was said on the record and when the meetings get out of hand it doesn't need to be shown. The recognition of this encourages further type of applause. Mr. Duvelius stated he does not feel it is an accurate reflection of the minutes.

Mr. Wallace made a motion and Mr. Weber seconded the motion to dispense with the public reading of the minutes and approve as written for the March 18, 2015 meeting.

Roll call as follows:	David Wallace	Yes
	Kurt Weber	Yes
	Gene Duvelius	No

Mr. Duvelius stated his decision was based on the previously stated comment.

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the withholding checks for checks numbered 74493 through 74499 and payroll direct deposit vouchers numbered 2015-491 through 2015-567.

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

Mr. Weber made a motion and Mr. Wallace seconded the motion to pay the bills before the Board for checks numbered 74500 through 74525 as written.

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 a Federal Medical Leave of Absence (FMLA) to Mr. Michael Posega, Firefighter/Paramedic, for a qualifying request beginning approximately May 4, 2015 and shall not exceed 12 consecutive weeks as granted by FMLA.

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 stated there were no cemetery deeds for approval, but wanted to update the Board in regard to the Township Cemeteries. The Cemetery Committee is currently looking at software programs that would update records and provide digital mapping. There should be a bid within the next two (2) weeks for the Trustees' consideration.

The Maintenance Department will be cleaning up the cemeteries during the month of April per the new guidelines approval last year. Any items that are removed will be tagged and held for one (1) year for families to pick up. Mr. Duvelius wanted to make sure things would be cleaned up for Memorial Day. Ms. Brock stated that is part of the reason cleanup is starting now. Mr. Duvelius thanked Ms. Brock.

Ms. Brock requested an Executive session for personnel.

Mr. Warren Ritchie, Law Director, stated he sent the board a memo regarding the dissolution of the Tax Increment Finance (TIF) district. Mr. Ritchie suggested discussing it this evening in order to move forward with dissolving the TIF at the next meeting on April 15th. Mr. Ritchie met with the Warren County Auditor which concluded the earliest the flow of money from the TIF could be returned to general tax revenue would be when the taxes are first collected in 2016. The June 2015 tax bill is for last year and would make things complicated for the auditor. Mr. Ritchie still recommends dissolving the TIF now if the Board wishes because he can't find any reason why after the decision was made that the money couldn't be authorized for an immediate transfer from the TIF Fund to the General Fund for ultimate transfer to the Road and Bridge Fund. Enough would be held back in reserve to honor the commitments to the school districts and for the committed funds for the Kiddie Academy project. Mr. Ritchie asked the Board if they would like him to move forward in preparing a resolution to dissolve the TIF. Mr. Weber asked about the improvements on State Route 48 and the verbal agreement to Kiddie Academy right turn lane. Mr. Ritchie stated if the Board is still in favor of utilizing funds for this, it would be put in the Resolution as a separate section to hold back the funds for this to honor the commitment. Mr. Ritchie stated he sent a letter to each of the three (3) school districts and had no responses thus far. The Auditor is seeking an opinion from the Warren County Prosecutor's Office as to whether there were any contradictions. Mr. Ritchie noted the resolution would be certified with the Tax Commissioner. The Auditor did follow up at Mr. Ritchie's request to give him a complete list of the properties currently under the TIF exemption and the list would be attached to the Resolution. The State Tax Commission actually authorizes the exemption for reversal. Mr. Weber stated if the Board was to pass the Resolution at the next meeting, then the money within the fund currently, after all the commitments are deducted, the remainder could be transferred to the General Fund rather quickly. Mr. Ritchie stated yes, but the transfer would be done via a separate resolution. The June tax bill as Mr. Ritchie understands would still be paid into the TIF Funds and would revert back to original tax flow beginning 2016. Mr. Weber stated in theory the money could be used immediately for road improvements for this year. Mr. Weber noted Mr. Boeres had spoken to the Warren County Engineers' Office about the Road Resurfacing Bid for 2015 and had it set up as an alternate bid not knowing if the funding would be there this year or not. The bid is set to be placed the first or second week in May. Mr. Ritchie stated if the Trustees follow this course and adopt the formal resolutions at the next meeting the funds should be available to participate in the bid. After no further questions Mr. Ritchie noted he would have the formal resolutions ready at the next meeting on April 15, 2015.

Mr. Ritchie stated Neyer Properties who is developing Kiddie Academy along State Route 48 wants to make some improvements. Hamilton Township can only participate in public improvements with TIF Funds. Neyer Properties wanted to put out one bid, but this project will need to be bid separately from the Township. They have sent Mr. Ritchie an agreement that is missing a few things. It does not state the work that is to be done, but the text of the agreement seems fine to him. The Board had previously verbally authorized \$55,000.00 for the project and the owner is saying \$60,000.00 was agreed.

Mr. Ritchie wanted to check with Mr. Boeres upon his return to confirm if a change was agreed upon or discussed. The developer would like to have an answer by the April 15th meeting as to the exact cost because they want to start their projects and development. Mr. Weber stated in section 2 of the agreement it talks about plans and specifications being approved by the Township and the Warren County Engineer's Office. Mr. Weber stated it should have included Ohio Department of Transportation (ODOT). Mr. Ritchie stated he will adjust it. Mr. Wallace wanted to confirm that the board would wait until Mr. Boeres returned to get final confirmation of the figure before moving forward. Mr. Ritchie stated he would tell the attorney for the developer the text is fine, but still awaiting confirmation of the final figure. Mr. Ritchie did email the attorney the minutes where it stated \$55,000.00. The developer needs to still submit a scope of their work to the Township to review. Mr. Weber stated ODOT needed to review them as well.

Mr. Ritchie mentioned he will be communicating with Black Box Network Services to put in writing the township's position that Mr. Rusty Holman, Volunteer Financial Analyst, had discussed with the board about cancelling a maintenance agreement and put the township on a time and material basis billing.

Mr. Ritchie wanted to let the Trustees know about the timeline for implementing any type of tax levy or renewal. Proper action must be taken 90 days before the election. Action needs to be taken prior to August 1, 2015 and if the board takes action in late July, Mr. Ritchie feels it may be late. Placing a levy is a two (2) step process. First, the Board will pass a resolution requesting the County Auditor to do an estimate of what a \$1 Mil levy will generate and the Auditor will certify a response. Secondly, the Board will pass a resolution to place the levy on the ballot. Mr. Ritchie recommends taking step one (1) in June and step two (2) in July. Mr. Wallace asked Police Chief Wheeler when the levy committee would be providing the Trustees with an update. Chief Wheeler stated early May.

Mr. Weber opened the floor to the public.

Mr. Bill Dowden, Resident, stated at the last meeting the expenditure of \$8,000.00 to Management Partners was approved for the study done for the Fire Department. Mr. Dowden stated he has not seen the study posted on the website and wanted to know if it was finished. Mr. Weber stated it was submitted to the Board this week and is not posted to the public yet. Mr. Wallace asked if it could be made public now for everyone. Mr. Weber stated he believed the intent was for the board to review it before it went public. Mr. Wallace stated Management Partners is going to attend a meeting and present the study to Township, but if the people want to see it he sees nothing wrong with posting on the website now. Mr. Weber asked Ms. Brock if a date was set for the presentation. Ms. Brock stated Mr. Boeres was handling that, but believes it was scheduled for the next meeting on the 15th. Mr. Wallace asked if a public records request was done for the document a copy could be obtained. Mr. Ritchie stated that is correct.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to place the Fire Department Study on the Township's Website from Management Partners.

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

Mr. John Roesch, Resident, asked first the status of Kroger moving. Mr. Ritchie stated the official position as of now is they are not moving. Second, Mr. Roesch stated at the last meeting the final decision was made about privatizing the Fire Department. Mr. Roesch directed a comment to Mr. Duvelius about how dismayed he was with the vote of no confidence to Mr. Ray Warrick, Fiscal Officer. Mr. Roesch felt it was uncalled for. The progress we have made in the township would not have been possible without Mr.

Warrick. He was surprised there was never a vote of no confidence for Ms. Terwilleger during her terms in office. Mr. Roesch believes an apology is due to Mr. Warrick. Mr. Weber stated although he disagrees with Mr. Warrick's numbers Fire Department privatization numbers, he does have confidence in Mr. Warrick as Fiscal Officer and he has done a good job and we wouldn't be this far in the process without Mr. Warrick pushing forward. Mr. Wallace stated he agreed with Mr. Weber. What Mr. Warrick has done is remarkable given what he inherited in a short amount of time. Mr. Wallace stated he has 100% full confidence in Mr. Warrick. Mr. Duvelius stated he believed whoever would have been put in that position would have gotten the township out of Fiscal Emergency. We would still be where we are today with Mr. Warrick or a different person. Mr. Duvelius stated he does not intend to apologize until Mr. Warrick apologizes to the Fire Department.

Ms. Corinne Curcio, Park Advisory Committee, stated the Hamilton Township Fire Rescue squad took her father-in-law on Sunday to the hospital and saved his life. Ms. Curcio wanted to thank everyone for being a strong community and thanked the department.

Mr. Joe Walker, Resident, asked about the TIF money that would be moved to the General Fund and making the money strictly for road repairs. Mr. Ritchie stated legally it can't go anywhere, but the General Fund. The Board has said multiple times it will be only used for roads. Mr. Ritchie believes the same meeting the Trustees vote to dissolve the TIF the monies will be moved to the General Fund with an immediate transfer to the Road and Bridge Fund. This amount total will of course be after the committed monies for the school and Kiddie Academy is deducted. Mr. Wallace stated his intent is putting the money towards the roads, it is a priority. Chief Wheeler asked if there was a difference between the revenue string into the TIF Fund and the revenue string going back to its original location. For example the split being between each department once the TIF is dissolved. Mr. Ritchie stated yes for the 2015 taxes collected in 2016 after TIF is dissolved will be allocated as resident taxes are now. Mr. Holman stated a quote was received for the high priority roads, Cones, Trail Crossing, Mounts Road and Grand Legacy. It is now a question of being able to fund the money because the Trustees have already taken a position in the high priority roadways.

Mr. Rusty Holman, Volunteer Financial Analyst, stated the Fiber Optic Network from Fire Station 76, Station 77 and the Maintenance Department into the Administration Building has been completed. The next step in the process is to put in a switch that handles all of the data that comes in and feeds it back out. They're in the process of preparing an RFP for a new phone system that will include Voice Over IP for all locations, Black Box will be replaced and the equipment. None of the equipment now is compatible with current technology. The communications committee will hopefully meet next week when Mr. Boeres returns.

Mr. Weber closed the floor to the public.

Mr. Weber wanted to mention longtime resident Mary Oeder passed away on March 19, 2015. Mr. Weber expressed his condolences to Richard and Kathy Oeder and the entire Oeder Family. They have been great friends to the township.

Mr. Weber made a motion and Mr. Duvelius seconded the motion to enter into Executive Session at 6:59 p.m. for possible hire as a follow up to the Fire Chief Interviews for personnel. Mr. Weber invited Mr. Ritchie, Ms. Brock and Chief Wheeler along with the trustees.

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

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to come out of Executive Session at 7:51 p.m.

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

Mr. Weber stated Executive Session was follow-up discussion about the Fire Chief possible hire.

Mr. Ritchie spoke briefly with Ms. Brock concerning the Fire Department Study and is persuaded that the document is not a public document contrary to what he previously reported. There are some personnel items in the report that may require action or need discussion by the Trustees in Executive Session. It is a working private document and he does not recommend placing it on the website at this point.

Mr. Duvelius made a motion and Mr. Wallace seconded the motion to rescind the previous motion to post the Fire Department Study from Management Partners on the website until such time the document becomes public.

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 adjourn the meeting at 7:55 p.m.

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