
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

OCTOBER 2, 2012

The meeting was called to order at 7:00 p.m. Elected officials (Trustees and Fiscal Officer) present were: Mr. Phil Beck, Mr. Kenneth Bryant, Mrs. Jodie Leis, and Mr. John Borchers.

Also present: Brian Elliff - Township Administrator; Robert Malloy - Township Law Director; Carol Sims - Township Assistant Fiscal Officer; Bill Pitman - Director of Public Works; Lt. Thomas Butler - Hamilton County Sheriff's Department; Mike Books - Deputy Chief, Loveland Symmes Fire Department.

PRESENTATIONS:

BRENDA COFFEY, INTEGRYS - Presented the Board with a handout on the natural gas aggregation program. Mrs. Coffey advised there are currently 2,229 accounts (2,222 on flex down rate and 7 on monthly variable), Mrs. Coffey reviewed the program pricing for January 2011 through August 2012. The Township currently offers a Locked-In Price with Flex Down and a Monthly Variable rates to the residents. The Locked-In Price does provide protection and stability to users.

Mrs. Coffey reviewed various pricing options for the Board's consideration and noted that she will do whatever the Board wishes. Integrys is recommending the Board continue with two different options. However, a new option - Fixed Winter Price/Variable Summer Price is being offered. This program allows for the price to be locked during the high use periods, but allows for participation if the market were to fall during the summer months.

MRS. COFFEY stated, based on the timeline reflected in the handout, the Board would need to make a decision within the first part of November. This would allow for the 'opt-out" notices to be sent by November 30. A two or three year supply agreement has also been submitted to the Board for approval.

MR. BRYANT stated the Township has a very good working relations with Intergys and the Board needs to consider the best deal for the residents. Mr. Bryant questioned if a decision could be made at the November 6th meeting.

MRS. COFFEY stated that would not be a problem.

MR. BRYANT stated he would like time to review this new option as he is not sure this would benefit residents. Mr. Bryant further stated that it is important that he zero termination fee is still offered and noted in the supply agreement.

MRS. COFFEY advised that is still Integry's intention and will make sure it is included. Mrs. Coffey stated they are offering the new option since it appears to be greater savings in the variable vs. locked-in rate. If it appears the gas rate will be going up in the summer months, Integrys can offer another locked-in option to the Township.

The Board thanked Mrs. Coffey for this presentation.

TED HUBBARD, HAMILTON COUNTY ENGINEER - Presented the Board with information regarding the proposed Mason Road resurfacing project. Mr. Hubbard stated he felt this was a good project to partner with the Township and apply for a grant. The project includes the repair and resurfacing of the roadway, along with a three foot paved berm/buffer. Sidewalks have been added at the Township's request. It is important to note that no right-of-way is required for this project; however, sidewalks will have to be engineered and should be located as close to the right-of-way as possible.

MR. BRYANT thanked Mr. Hubbard for attending the meeting. The Board was in agreement with the resurfacing project, but had questions regarding the sidewalk and when Mason Road would be widened in the future.

MR. HUBBARD advised that traffic volume does not warrant a four lane segment at this time and any widening would require obtaining right-of-way. If this section of roadway was widened, any sidewalk removed would be replaced as part of the project and there would be no cost to the Township. Mr. Hubbard stated it is important to preserve the pavement now in order to make it a safer roadway.

MR. BRYANT stated they would like to be able to install a sidewalk as part of this project and not have it removed in the future.

MR. HUBBARD noted again that any sidewalk should be constructed as close to the right-of-way as possible.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2012-27

Resolution Authorizing the Township Administrator
to Prepare and Submit an Application to Participate
in the Ohio Public Works Commission State Capital
Improvement and/or Local Transportation
Improvement Program(s) and to Execute
Contracts as Required

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, is planning to make capital improvements to Mason Road; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1. The Township Administrator is hereby authorized to apply to the OPWC for funds as described above.

Section 2. The Township Administrator is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3. Expenditure of an amount not to exceed \$8,800.00 as the local match portion for sidewalk construction is hereby authorized.

MR. BRYANT seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

DR. MICHAEL POLICASTRO - Stated he was the new medical director for the Loveland Symmes Fire Department. Dr. Policastro advised he was reviewing the department's policies and working at advancing technology and programs.

Dr. Policastro provided a demonstration of the department's new camera assisted laryngoscope, which helps clear throat obstructions so air can reach the lungs of injured patients.

The Board thanked Dr. Policastro for this demonstration.

RECEIPTS

Receipts totaling \$399,611.19 were read and accepted.

WARRANTS

MRS. LEIS moved that the Township pay its bills. Mr. Bryant seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$672,359.20 were issued.

MINUTES

Minutes of the May 1, 2013 meeting were approved as submitted.
Minutes of the June 5, 2013 meeting were approved as submitted.
Minutes of the July 3, 2013 meeting were approved as submitted.
Minutes of the July 10, 2013 meeting were approved as submitted.

REPORTS

BRIAN ELLIFF - Reported on activities in the township since the last meeting:

1. SHADE STRUCTURES - Provided the Board with additional information regarding the placement of shade structures in the Home of the Brave Park. Staff is recommending the installation of two shades with an estimated cost of \$10,375.00 This expenditure will be included in the 2013 Budget for the Board's consideration.

2. ROYAL - HOME OF THE BRAVE TRAIL - Presented the Board with information reflecting that this proposed connector trail would travel through a designated wetland and any type of "fill" would trigger a permit. Mr. Elliff suggested this idea could be tabled or the Board could obtain a proposal for the permitting.

MRS. LEIS questioned if a surfaced trail is needed since people are already using this area as a cut-through.

MR. PITMAN agreed there is currently a worn path in this area.

MR. BRYANT stated the idea was to link the various parks through walkways or paths. There had been a concept of an elevated walkway through this wetland section. Mr. Bryant further stated the Board should determine what costs would be involved before proceeding.

MR. BECK stated he would like to see what a permit would cost and explore the different surfacing material, such as gravel, mulch or elevated walkway.

MR. ELLIFF stated he could have a consultant submit a proposal on this work and bring to the Board for review.

LT. BUTLER - Noted the October activity reports have already been submitted.

OTHER - MR. BORCHERS questioned if the Township is participating in any programs with the Bureau of Workers Compensation in order to reduce costs.

MR. ELLIFF advised he has been in contact with the Frank Gates Company to determine the appropriate programs for the Township. The Township is presently in a group rating program sponsored by the Ohio Township Association. Symmes Township is included in an elite group of the top 20 in the State. There are programs available; however, the cost benefit vs. savings analysis reflects there would be no great savings to the Township.

MR. BORCHERS noted that elected officials cannot speak among themselves outside of an open meeting. There are some items which can be discussed in Executive Session; however, there are many topics which require more discussion in order to make informed

decisions. Mr. Borchers questioned if the Board would consider the concept of holding work sessions to allow the Board to receive more information and have discussions.

MRS. LEIS noted that Sycamore Township has work sessions and its meetings run smoothly.

MR. BORCHERS stated he would like an opportunity to have more discussions with the Board about future revenues vs. expenditures. This would help provide direction for future budgets.

MR. BECK agreed this is an important discussion for the Board to have and there are other topics such as roadway, sidewalks, economic development ideas and goals/objectives.

MR. BRYANT stated this is a great idea. The Township Administrator has been directed to provide several items to the Board for review, such as job descriptions, aggregation and annexation. Sometimes it is hard to fully discuss and understand these items in a regular meeting and a work session would be beneficial.

MR. BORCHERS stated he would be willing to develop a concept process as to what and when items would be discussed.

MR. BECK suggested that Board members think about future topics and discuss the idea of work sessions at the next meeting.

MR. BRYANT noted these would be public meetings and questioned if residents would be permitted to speak.

MR. MALLOY advised this would be considered a special meeting of the Board and rules could be established. A work session is just an opportunity to have a discussion and no action would be taken.

MR. BRYANT questioned if the Township Law Director could put together some ground rules.

MR. MALLOY stated that is a good idea and would work with the Township Administrator and Fiscal Officer.

MR. BORCHERS stated the Board could continue discussion of this item at the next meeting.

The Board agreed this was a good idea and each Board member will provide the Township Administrator with a listing of possible topics.

CORRESPONDENCE

PHIL BECK - e-mail regarding recent e-mails sent to Paulette Leeper.

WOOD & LAMPING - e-mail regarding exemption for Home of Brave property.

SYMMES FIRE DEPT - e-mail regarding fuel being over budget.

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

cc:MSD to ROBERTS ENGINEERING - Letter regarding conditional availability of sewer for 11080 Montgomery Road.

HAMILTON COUNTY PUBLIC HEALTH - Letter requesting the Township securing the rear entrance at 9003 Symmes Ridge Lane.

HENRY HARRIS - e-mail regarding school speed sign at Symmes Elementary

HAMILTON COUNTY TREASURER - Notice of Collection of Inheritance Taxes (\$46,993.59).

HAMILTON COUNTY BOARD OF ELECTIONS - Letter regarding ballot language for November issue.

KZF DESIGN - e-mail regarding Montgomery Road sidewalk project.

HAMILTON COUNTY AUDITOR - Amended certificate of available resources and Amended Appropriations.

HAMILTON COUNTY TREASURER - Notice of Collection of Inheritance Taxes (\$5,483.76).

HAMILTON COUNTY AUDITOR - Letter regarding 2013 allocation of Local Government Funds (\$140,473.02)

HAMILTON COUNTY BOARD OF ELECTIONS - Letter regarding information on website.

cc:MSD to APEX ENGINEERING - Letter regarding conditional availability of sewer for 9745 Union Cemetery.

HAMILTON COUNTY ENGINEER - Letter regarding request from resident at 10272 Lincoln Road for permit to install residential service branch.

FRANK GATES - Recap of savings with Ohio Township Association Group Rating Program.

MIKE MECKES - e-mail regarding property on Solon Drive.

OHIO CITIZEN ACTION - Notification of canvassing in Township during October, November and December.

HAMILTON COUNTY COMMISSIONERS - e-mail notification of public hearings scheduled to receive input about MSD improvements.

M/M KRATZ, 9430 STONECREST - Respond to sidewalk plan.

HAMILTON BOARD OF ELECTIONS - Request to use Symmes Park for distribution of election materials.

SKEETS HUMPHRIES - Proposal for garage doors.

MOBILCOM - Proposal for replacement cameras at Stonebridge and Blong Parks.

OHIO DEPARTMENT OF TAXATION - Final determination for exemption from taxes.

HAMILTON COUNTY - Information regarding Permissive 9-1-1 Use fee.

HAMILTON COUNTY TREASURER - Notice of Collection of Inheritance Taxes (\$27,940.00).

OLD BUSINESS

The Board agreed to table review of the natural aggregation program to the next meeting.

MR. BRYANT questioned if he could continue discussions with Integrys regarding the new option presented tonight. The Board had no objection.

Mr. ELLIFF requested the Board consider holding a special meeting in November to interview applicants for the open position on the Board of Zoning Appeals.

MRS. LEIS moved to hold a Special Meeting on November 6, 2012 at 6:00 p.m. for the purpose of entering Executive Session to discuss the appointment of a public employee. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

NEW BUSINESS

MRS. LEIS moved to approve Change Order #01-006 for Kelchner, Inc. for a deduct of \$2,699.00 in the contract for Home of the Brave Park project. Mr. Beck seconded the motion.

MR. BORCHERS stated he has reviewed information provided by the Township Administrator and questioned why the Township is responsible for this additional work.

DOUG RACK, TURNER CONSTRUCTION - Stated that Tumlin did not follow protocol and receive approval before the work was commented. Mr. Rack agreed that the Township is not responsible and advised he has been working with the contractors to reach a compromise. This started as a \$20,000.00 claim.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to approve Change Order #03-002 for John Tumlin & Son in the amount of \$9,824.00 for additional excavation and material for Home of the Brave Park project. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2012-28

**RESOLUTION INITIATING TEXT CHANGE
TO THE SYMMES TOWNSHIP ZONING RESOLUTION**

WHEREAS, Symmes Township has adopted a Zoning Resolution applying zoning to the entirety of Symmes Township pursuant to Ohio Revised Code (“ORC”) Chapter 519; and

WHEREAS, pursuant to Chapter 519 Symmes township has established both a Zoning Commission and Board of Zoning Appeals; and
Whereas, presently, both the Zoning Commission and Board of Zoning Appeals are comprised of five members; and

WHEREAS, there have been opportunities for delay in the business before these Boards by virtue of there not being a full Board present to consider business; and

WHEREAS, the ORC pursuant to Sections 519.04 and 519.13 provides for the appoint of alternative members to the Zoning Commission and Board of Zoning Appeals who may act on cases before the Boards in the absence of a regular member; and

WHEREAS, the availability of alternative members will allow the Boards operate more efficiently, reduce delay in the consideration of cases and increase the convenience for the applicants and interested parties; and

WHEREAS, pursuant to ORC Section 519.12(A)(1) the Board of Trustees by resolution may initiate text changes to the Zoning Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1. That the text changes attached hereto and incorporated as Exhibit “A” are hereby initiated by this Board.

Section 2. The Fiscal Officer shall provide a certified copy of this Resolution to the Symmes Township Zoning Commission at his earliest convenience.

Section 3. The Symmes Township Zoning Commission shall consider and act upon these text changes at its earliest available meeting as

allowed under law.

MR. BECK seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION F2012-05

Resolution Accepting the Amounts and Rates as Determined
by the Budget Commission and Authorizing the Necessary
Tax Levies and Certifying them to the County Auditor

RESOLVED, By the Board of Trustees of Symmes Township, Hamilton County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20--; and

WHEREAS, The Budget Commission of Hamilton County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitations; therefore be it

RESOLVED, By the Board of Trustees of Symmes Township, Hamilton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

General	1.00 mill	Inside of 10 m. limit
Road & Bridge	.30 mill	Inside of 10 m. limit
Fire	3.50 mill	Outside of 10 m. limit
Police	2.70 mill	Outside of 10 m. limit
EMS	1.50 mill	Outside of 10 m. limit
Park	1.90 mill	Outside of 10 m. limit
Road & Bridge II	.90 mill	Outside of 10 m. limit
Safety Services	2.70 mill	Outside of 10 m. limit
Total	14.50 mill	

and be it further

RESOLVED, That the Fiscal Officer of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

MR. BRYANT seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to amend:

- a. Permanent Appropriation 14-A-4 (EMS - Tools/Equipment) from \$5,000.00 to \$7,800.00
- b. Permanent Appropriation 14-A-6 (EMS - Repairs) from \$15,200.00 to \$12,400.00

MRS. LEIS moved to approve:

- a. Expenditure in the amount of \$3,081.00 for three additional mowings in Township cemeteries
- b. Expenditure in the amount of \$2,250.00 for two additional mowings in Township parks
- c. Expenditure in the amount of \$1,029.20 for annual aerial and ground ladder testing
- d. Expenditure in the amount of \$2,674.00 for purchase of cot for new ambulance
- e. Expenditure in the amount of \$3,651.89 for replacement of surveillance cameras at

Blong and Stonebridge parks

- f. Expenditure in an amount not to exceed \$3,500.00 for purchase and installation of hand dryers at Home of the Brave Park
- g. Expenditure in the amount of \$5,018.75 for purchase of fuel tanks at Symmes Park
- h. Expenditure in the amount of \$9,163.00 for replacement of garage doors at Service Maintenance Building.

MRS. LEIS moved to establish October 31 from 6:00 p.m. to 8:00 p.m. for Halloween Observance.

The following cemetery deed was approved:

- Russell Glossop, Kerr Cemetery, Lot 615, Grave 4

EXECUTIVE SESSION

MRS. LEIS moved that the Board enter Executive Session to discuss the employment of a public employee, pending litigation and the sale of real property. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The meeting adjourned for Executive Session at 8:45 p.m.

The meeting reconvened from Executive Session at 11:00 p.m.

No further action was taken and the meeting adjourned at 11:00 p.m.