
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

MARCH 5, 2013

The meeting was called to order at 7:00 p.m. Elected officials (Trustees and Fiscal Officer) present were: 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; Tom Turner - Assistant Chief, Loveland Symmes Fire Department.

PRESENTATIONS:

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-07
Resolution of Commendation for
Simon L. Leis, Jr.

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio utilizes the Hamilton County Sheriff's Office for police services for the residents and businesses of the township; and

WHEREAS, Simon L. Leis, Jr. has served as the Hamilton County Sheriff since June, 1987 and has been in public service to the residents of Hamilton County since 1961; and

WHEREAS, Simon L. Leis, Jr. has seen extensive and dramatic changes in growth and development of Hamilton County over the last twenty-six years while serving as Hamilton County Sheriff; and

WHEREAS, Simon L. Leis, Jr. has made many major accomplishments and achievements under his administration such as increased law enforcement coverage to the townships in Hamilton County through both County and Township contract funded units and the establishment of the "Drug Abuse Resistance Education (D.A.R.E.) Program" within school districts served by the Sheriff's Office; and

WHEREAS, Simon L. Leis, Jr. has demonstrated exceptional commitment to the residents of Hamilton County and Symmes Township during his many years of faithful and distinguished service through his effective leadership; and

WHEREAS, the elected officers of Symmes Township have gained considerably from his friendship, sound judgement and knowledge.

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

Section 1. Hereby recognizes Simon L. Leis, Jr. for his dedicated and excellent service to the residents of Symmes Township and Hamilton County.

Section 2. Hereby expresses its most sincere respect and profound gratitude to

Simon L. Leis, Jr. for his efforts and accomplishments throughout his term as the Hamilton County Sheriff.

Section 3. Hereby extends best wishes for good health and happiness in the years ahead.

Section 4. Hereby directs the Fiscal Officer to deliver to Simon L. Leis, Jr. a copy of this resolution.

Section 5. Hereby directs that this Resolution be permanently recorded in the official records of the Township.

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

SHERIFF LEIS thanked the Board for this resolution.

RICK THEDERS, CLARK-THEDERS INSURANCE - Reviewed the 2013-2014 liability insurance program provided to the Township through OTARMA. The total cost for this coverage will be \$73,076.00. OTARMA has again declared a dividend to the participating entities in the amount of \$5,483.65 for a new amount of \$67,592.35.

MR. BRYANT stated the Township added flood insurance a couple of years ago and questioned if there is any property/facilities located within the floodplain.

MR. THEDERS stated there is \$3M in flood insurance with a \$5,000.00 deductible.

MR. ELLIFF requested the Board to consider action while Mr. Theders is still in attendance.

MR. BRYANT moved to approve the 2013-2014 Symmes Township property and casualty insurance policy with OTARMA, to approve an expenditure in the amount of \$73,076.00 and to authorize the Township Administrator to sign the Statement of Values schedule and any other paperwork. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

The Board thanked Mr. Theders for attending the meeting for this matter.

MR. ELLIFF reminded the Board that a resurfacing program is presented to the Board each year for review and approval. The proposed streets are based on the 2006 Resurfacing Plan. Mr. Elliff noted that the proposed streets are listed in a memo prepared by Mr. Pitman on February 27, 2013, as well as an estimated cost.

MR. ELLIFF advised this proposal has been reviewed with the Township Fiscal Officer.

MR. PITMAN stated the cost figure is based on historic data, as well as input from the Hamilton County Engineer's Office and other governmental entities. Mr. Pitman further stated that he felt this amount was a good bid estimate of \$510,000.00 with an addition \$35,000.00 bid as an alternate for a section of Solon Drive which is a concrete base overlaid with asphalt.

MR. ELLIFF informed the Board there is \$54,286.00 available from the Hamilton County Engineer's Office due to the 20% fund program. Mr. Elliff recommended the Board apply for these funds to use for the resurfacing project. This is an agenda item under new business.

MRS. LEIS noted that this is the last group of streets scheduled during the current 7-year levy.

MR. BRYANT requested the Township Administrator and Director of Public Works to prepare a report of how much resurfacing and curb work was done over the past three years so that the Board can determine the amount of funds needed for a future levy.

RECEIPTS

Receipts totaling \$1,717,107.03 were read and accepted.

WARRANTS

MR. BRYANT moved that the Township pay its bills. Mrs. Leis seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$509,390.22 were issued.

REPORTS

LT. BUTLER - Presented the Board with a proposal for the purchase of two new patrol cars in 2013. Lt. Butler advised transmission repairs are needed for Car 92 (2006 Crown Victoria) which will be one of trade-in cars. Lt. Butler stated that the Hamilton County Sheriff's Office is recommending the purchase of 2013 Dodge Chargers.

MR. BORCHERS advised this purchase is in the 2013 Temporary Appropriations and was planned for in 2013.

MR. BRYANT moved to approve an expenditure in the amount of \$47,668.00 for the purchase of two replacement police cruisers as per proposal dated February 26, 2013. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BORCHERS announced the Finance & Audit Committee will meet on March 12 at 7:00 p.m. for the purpose of reviewing the proposed 2013 Permanent Appropriations and to discuss the future Road Levy.

MRS. LEIS reminded the residents of the upcoming Get Fit programs scheduled for this summer and noted that information will be on the Township website.

CORRESPONDENCE

CAREWORKS - e-mail regarding drug utilization review.

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

RUMPKE - e-mail with recycling information.

cc:SYMMES FIRE DEPT to FIRE ACCREDITATION - Letter requesting Assessor site visit.

HAMILTON COUNTY AUDITOR - Amended certificates.

HAMILTON COUNTY ENGINEER - Annual mileage report.

OTARMA - Notice of insurance for new truck.

COLLIERS - Notice of termination of contract for Chapelsquare Fire Station.

CHOICE ONE ENGINEERING - e-mail regarding approval from MSD for Humphrey Road sidewalk project.

STATE OF OHIO - January permissive tax computation report.

INTEGRYS - Signed agreement.

MICHAEL VEENEMAN - e-mail advising that light in Kerr Cemetery is not working.

EXECUTIVE SECURITY - Proposal for security cameras.

STATE OF OHIO, BUREAU OF MOTOR VEHICLES - January license tax statistics report.

WYCOM - Proposal for new check signer.

SYMMES FIRE DEPT - Letter regarding improvement to access to I-71. and memo regarding update to 2013 CIP and Budget.

CHOICE ONE ENGINEERING - e-mail regarding Hamilton County permit for Humphrey Road sidewalk project.

FIFTH THIRD BANK - e-mail regarding employee charge for HSA accounts.

cc:OTA to BILL PITMAN - Letter regarding OTA Leadership Academy status.-

WOOD & LAMPING - Opinion regarding acceptance of donation from private entities for Township event.

JONES FISH - 2013 Lake Management Contract for and Home of Brave Park and Symmes Park

DUKE - Service agreement for outdoor lighting at 11716 N. Lebanon Road.

ANNA KOSCIELICKI, 11654 KOSINE - Letter regarding installation of sidewalks along Union Cemetery.

CAREWORKS - 4th Quarter 2012 report.

HAMILTON COUNTY REGIONAL PLANNING - e-mail regarding changes to Building/Zoning Departments.

WESLEY COMMUNITY SERVICES - Letter requesting support of Meals-on-Wheels program.

HAMILTON COUNTY ENGINEER - Permit for Humphrey Road sidewalk project.

PLANTATION POINTE - Letter and payment for portion of sidewalk installation waived.

DEPT OF COMMERCE - Certificate for elevator at Safety Center.

ZONING AND PLANNING ISSUES

MR. ELLIFF stated there are several variances needed for the Humphrey Road sidewalk project and requested authorization to proceed.

MR. BRYANT moved to authorize the Township Administrator to apply for fence variances for properties affected by the Humphrey Road sidewalk construction and to waive any related fees. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

OLD BUSINESS

MR. ELLIFF requested the Board to amend its prior approval of the proposed telephone system and service contract in order to note the expenditure amounts.

MR. BRYANT moved to approve an expenditure in the amount of \$5,956.22 for the purchase of the Cisco Telephone System from Insight Public Sector and to approve an expenditure in the amount of \$3,204.00 for service agreement with Summit Digital Networks as authorized at February 5, 2013 meeting. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

NEW BUSINESS

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-09

Resolution to Adopt the
2011 Ohio Fire Code

WHEREAS, Ohio Revised Code Section 505.373 permits a Board of Township Trustees, by resolution, to adopt by incorporation by reference a standard code pertaining to fire, fire hazards, and fire prevention prepared and promulgated by, among others, the state or a public or private organization that publishes a model or standard code; and

WHEREAS, the Board of Township Trustees of Symmes Township ("the Board") desires to adopt by incorporation by reference the 2011 Ohio Fire Code as published by the International Code Council, Incorporated, as the same may be amended from time to time; and

WHEREAS, the Board previously adopted the 1994 Southwest Ohio Fire Safety Council Unified Fire Code; and

WHEREAS, the Board desires to replace the 1994 Southwest Ohio Fire Safety Council Unified Fire Code with the 2011 Ohio Fire Code to which the Township adheres to; and

WHEREAS, the Board finds it to be in the best interest of the residents of Symmes Township to adopt the standard code application within the Township.

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

- Section 1. The 2011 Ohio Fire Code, as published by the International Code Council, and as the same may be amended from time to time, is hereby adopted by the Board and incorporated by reference.
- Section 2. The Fiscal Office for Symmes Township is hereby directed to publish a notice clearly identifying the 2011 Ohio Fire Code, stating the purpose of the same, and stating that a complete copy of the same is on file with the Fiscal Officer for inspection by the public and also on file in the Hamilton County law library; and that the Fiscal Officer has copies available for distribution to the public at cost. The Fiscal Officer shall post such notice in five conspicuous places in the township for thirty days before this resolution becomes effective, as required by the Ohio Revised Section 505.33.
- Section 3. In accordance with Ohio Revised Code Section 505.374, no person shall violate a provision of the 2011 Ohio Fire Code as adopted or amended by the Board, and each day of continued violation of the 2011 Ohio Fire Code shall constitute a separate minor misdemeanor for which a penalty shall be imposed pursuant to Ohio Revised Code Section 505.99.
- Section 4. That the Board hereby determines that all formal actions of the Board concerning and related to passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of the Board which resulted in the passage of this resolution were taken in meetings open to the public, in full compliance with all legal requirements, including Ohio Revised Code Section 121.22
- Section 5. This resolution shall take effect on the earliest date allowed by law.

MRS. LEIS seconded the motion.

ASSISTANT CHIEF TURNER noted that this replaced the old fire code which needs to be updated. This new code will provide the minimum standards requirements which the Township must meet.

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

MR. BRYANT moved to authorize the Township Administrator to enter into a contract with Choice One Engineering for inspection services for the Humphrey Road Sidewalk Project, subject to award, and to approve an expenditure in an amount not to exceed \$5,000.00 for said services. Mrs. Leis seconded the motion.

MR. ELLIFF advised the Township spoke with Choice One Engineering about providing inspection services for the Humphrey Road sidewalk construction. Mr. Elliff recommended the Board approve this service with Choice One and to take advantage of an employee who recently retired from the Hamilton County Engineer's Office.

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

MR. BRYANT moved to authorize the Township Administrator to apply for and to accept a Risk Management Grant sponsored by OTARMA. Mrs. Leis seconded the motion.

MR. ELLIFF advised this is for a \$500.00 grant available from OTARMA which would be utilized to purchase safety vests.

MR. BRYANT thanked Mr. Pitman for bringing this to the Board's attention.

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

MR. BRYANT moved to authorize the Township Administrator to apply for and to accept "20% Fund" money from Hamilton County for the Township Road Resurfacing Program in the amount of \$54,286.00. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BRYANT moved to authorize the Administrator to advertise and accept bids for road resurfacing and repair for the Symmes Township roads identified in the "Street List" contained in the February 27, 2013 memorandum from Public Works Director Bill Pitman and to set March 25, 2013 at 2:00 p.m. as the date and time for opening of bids. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BRYANT moved to authorize the Township Administrator to sign an agreement with Duke Energy for the installation of a street light in the Home of the Brave Park and to approve an expenditure in an amount not to exceed \$891.91. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MRS. LEIS stated the Home of the Brave Park is one of the premier parks in the area and expressed concern regarding the appearance at the park entrance. Mrs. Leis questioned if the Township could do something to improve this.

The Board directed Staff to prepare a plan to improve the appearance and to provide a report to the Board.

MR. BRYANT moved to authorize the Township Administrator to enter into contracts with Jones Fish Hatcheries for algae treatment at Home of the Brave Park and Symmes Park and to approve expenditures in the amounts of \$1,400.00 and \$930.00 for said services. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-08

Resolution Authorizing the Transfer of Funds

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, entered into agreements for the re-payment of Various Purpose Limited Tax General Obligation Bonds pursuant to Resolution F-0312 adopted September 16, 2003 and Resolution F-0403 adopted February 3, 2004; and

WHEREAS, the Township Fiscal Officer, on advice of the State Auditors, has established Fund 14-D as a Special Revenue Fund and Fund 14-B as a Debt Service Fund for the revenue and expenditures dealing with these Various Purpose Limited Tax General Obligations Bonds; and

WHEREAS, the Township Fiscal Officer has advised the Board of Trustees that the amount needed for payment of its 2012 obligations is a total of \$339,152.50; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, wishes to transfer money from the Special Revenue Fund (14-D) to the Debt Service Fund (14-B) as instructed by the State Auditors.

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

Section 1. Hereby authorizes a transfer of \$441,090.00 from the Special Revenue Fund (Fund 14-D) to the Debt Service Fund (Fund 14-B) as instructed by the State Auditors.

Section 2. Hereby directs the Township Fiscal Officer to make the above adjustments to the Special Revenue Fund (Fund 14-D) and the Debt Service Fund (Fund 14-B).

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

MR. BRYANT moved to approve the 2012 Township Highway System Mileage Certification (40.235 miles). Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BRYANT moved to hold a Special Meeting on March 19 at 7:00 p.m. for the purpose of discussing and approving 2013 Permanent Appropriations. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

MR. BRYANT moved to approve the following:

- a. Expenditure in the amount of \$33,227.00 for purchase of chassis for new fire supervisory vehicle
- b. Expenditure in an amount not to exceed \$13,000.00 for the purchase of crack sealing material
- c. Expenditure in the amount of \$20,741.38 for emergency repairs to T-61
- d. Expenditure in the amount of \$2,250.00 for annual subscription service for FireStats

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

MR. BRYANT moved to authorize Brian Elliff and Carol Sims to attend Public Records Law seminar on April 9, 2013 in Columbus, OH. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

EXECUTIVE SESSION

MR. BRYANT moved that the Board enter Executive Session to discuss the appointment of a public employee and the employment of a public employee. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

The meeting adjourned for Executive Session at 8:20 p.m.

The meeting reconvened from Executive Session at 9:07 p.m.

MR. BORCHERS read the following letter into the record:

I am currently serving Symmes Township as an elected official in the position of Fiscal Officer. I have been Clerk/Fiscal Officer for approximately 20 years. During this period of time I have had the pleasure of working with twelve different Trustees and four Township Administrators. I wish to express my gratitude to all of them for their years of service and cooperation in providing me the needed support to accomplish the duties of Fiscal Officer. I want to especially recognize my Assistant Fiscal Officer Carol Sims. She has been my assistant during all my years with Symmes. Without her special talents and support I could not have been successful. I have enjoyed my life serving the needs of the public. I have enjoyed working with the talented staff of Township employees who provide quality service to the residents of Symmes Township. I also want to acknowledge the members of the Finance Committee who also enhanced my ability to provide a high level of service to the public.

I wish to announce my retirement from the position of Symmes Township Fiscal Officer effective March 18, 2013. I believe I am leaving the Township in a good financial state. I feel that the public funds have been administrated with great care and accountability over the years I have served. I wish Symmes Township continued success in the future.

MR. BRYANT stated the Board has no choice but to accept this notice. Mr. Bryant further stated that he has looked to Mr. Borchers over the years for financial guidance.

MRS. LEIS thanked Mr. Borchers for his service and understood his wanting to move forward.

MR. BRYANT moved to accept Mr. Borchers' notice of retirement. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'absent'.

The meeting adjourned at 9:10 p.m.