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**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**OCTOBER 1, 2013**

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The meeting was called to order at 7:00 p.m. Elected officials present were: Mr. Phil Beck, Mr. Kenneth Bryant, Mrs. Jodie Leis, and Ms. Carol Sims.

Also present: Brian Elliff - Township Administrator; Robert Malloy - Township Law Director; Bill Pitman - Director of Public Works; Lt. Chris Ketteman - Hamilton County Sheriff's Department; Otto Huber - Chief, Loveland Symmes Fire Department.

**PRESENTATIONS**

The Board recognized Cub Scout Pack 617 and thanked them for opening the meeting with a flag ceremony, as well leading the Board in the Pledge of Allegiance.

Tara Kressler, Symmes Branch Manager, The Public Library of Cincinnati and Hamilton County provided the Board with information on the upcoming library levy.

**RECEIPTS**

Receipts totaling \$120,053.93 were read and accepted:

19081 Mark Sutton	1-L	241.00
19082 Wethington Design	1-L	95.00
19083 WE Ventures	1-L	95.00
19084 P. Johnson	5-C	500.00
19085 J. Adams	5-d	450.00
19086 Steven Swan	1-p	20.00
19087 CD Civic League	1-P	6.50
19088 Dragonfly	9-F	150.00
19089 Ham Cty Auditor	1-K	2,353.00
19090 Ham Cty Auditor	1-K	1,502.50
19091 James Carpenter	12-D	100.00
19092 SORTA	1-P	250.00
19093 Lofland Home	5-D	500.00
19094 Qing Tao	1-L	95.00
19095 Shihasi Starwind	1-E	5,171.22
19096 Fischer Homes	1-L	153.00
19097 Henkel Homes	1-L	95.00
19098 Ham Cty Auditor	1-C	54,627.43
19099 MEMO		
19100 Ham Cty Auditor	9-A,20-A,10-A	.05
19101 Sign Dynamics	1-L	306.00
19102 CLC Lighting	1-L	95.00
19103 Symmes Fire	14-C,28-A	16,082.39
19104 James Johnson	5-C,5-D	1,460.00
19105 Boston Market	9-F	300.00
19106 S. Reinhart	12-D	100.00
19107 V. Kamoly	12-D	70.00
19108 C. Hensley	1-L	153.00
19109 Kessler Sign	1-L	171.59
19110 B. Frederiksen	1-L	95.00
19111 G. Duffy	12-D	407.04

19112 Tommy South	1-P	50.00
19113 Brian Elliff	1-N	25.00
19114 Judi Ossege	12-D	85.00
19115 Studio Ramer	1-L	241.00
19116 Riverview Monument	5-D	603.20
19117 Ham Cty Auditor	2-A	1,260.15
19118 Ham Cty Auditor	1-D,3-B	14,156.61
19119 Ham Cty Auditor	23-C	3,772.50
19120 Signs Now	1-L	153.00
19121 Lisa Ott	1-L	95.00
19122 Gary King	1-L	95.00
19123 Creative Solution	1-L	80.00
19124 KBM Design	1-L	95.00
19125 Tufts Funeral Home	5-D	850.00
19126 Home Goods	9-F	50.00
19127 Marion Investment	1-E	3,443.05
19128 Robert Gannaway	12-D	100.00
19129 Kistner Monument	5-D	291.20
19130 J. Rettinger	1-P	50.00
19131 Tufts Funeral Home	5-C,5-D	750.00
19132 ABC Signs	1-L	153.00
19133 Rozzi Inc.	1-L	59.00
19134 Planning Group	1-L	59.00
19135 A. Sallam	1-L	95.00
19136 Ham Cty Auditor	3-A	7,669.98
19137 Cinti Hort. Society	1-P	127.52
	TOTAL	\$120,053.93

#### 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 \$356,051.49 were issued:

60536 Postmaster	1-A-26	300.00
60537 Medical Mutual	1-A-6	15,216.12
60538 ICRC	1-A-26	21,138.25
60539 Ham Cty Sheriff	9-A-9,9-A-14,9-A-10	77,787.38
60540 Cty Treas. Fund	1-A-26	100.00
60541 NE Center	9-A-10,10-A-11,14-A-7	14,301.87
60542 Natorp	12-A-4	278.00
60543 ABCO Pavement	20-A-6	6,982.00
60544 Car Wash	9-A-14	20.00
60545 Kleem	3-A-10	86.75
60546 McCabe's	3-B-2,12-A-4,12-A-8	205.14
60547 State Ind. Prod.	12-A-6,2-A-9	460.68
60548 Valley Asphalt	3-B-2	768.60
60549 Decatur Elec.	14-A-3D	2,210.00
60550 Y2K	5-A-11,12-A-9,20-A-7	4,856.00
60551 Jani-King	20-A-6,9-A-14	814.00
60552 Cinti Bell LD	1-B-4,10-A-7	49.89
60553 Cinti Water	9-A-13,10-A-7	1,154.08
60554 Superamerica	3-A-5	1,409.78
60555 Duke	1-E-1	1,408.17
60556 Systems Insight	1-B-4	450.00
60557 OTARMA	10-A-14	447.00
60558 Carol Sims	5-A-12	25.56
60559 Business Card	1-A-26	52.95
60560 Summit Digital	1-B-7	267.00
60561 Beth. Healthcare	1-A-26	36.16
60562 Kleem	3-A-10	572.00
60563 LA Supply	1-A-26	1,200.00
60564 Cinti Water	10-A-7	566.51

60565 Cintas	1-B-8	84.86
60566 Summit Digital	1-B-7	433.33
60567 Premier Auto	23-A-6	240.31
60568 Shell Oil	3-A-5	257.75
60569 Cinti Bell	12-A-3	130.09
60570 Duke	10-A-7	1,055.26
60571 Wiseway	12-A-4	39.60
60572 Rumpke	9-A-13,10-A-7	55.00
60573 LA Supply	2-A-9,3-B-2,12-A-4	286.04
60574 Loveland	12-A-3	8,739.24
60575 Hotel Trucking	3-B-2	317.50
60576 Duke	12-A-3	391.58
60577 Business Card	3-A-10,12-A-4,20-A-8	207.88
60578ABC Co Pavement	12-A-4	7,588.00
60579 Dental Care	1-A-6	1,233.95
60580 Business Card	12-A-8	1,217.00
60581 L. Felter	12-A-8	5.29
60582 Ace Exterm.	9-A-13,10-A-7	59.69
60583 Advantage Signs	1-D-5	285.00
60584 Best One Tire	23-A-6	299.05
60585 Beth. Healthcare	1-A-26	400.00
60586 Buchanan's	3-A-7	92.85
60587 Central Mix	3-B-2	92.00
60588 Rumpke	10-A-7,1-B-4,1-A-26,12-A-3	554.40
60589 Cinti Bell	10-A-7	302.65
60590 Cinti Jan.	3-A-7	99.99
60590 Kleem	23-A-4	91.12
60590 Sam's	1-B-5,12-A-5,1-A-26	428.16
60590 Cinti Water	1-B-4	34.78
60594 Pitney Bowes	1-A-26	315.00
60595 Cinti Bell	12-A-3	31.76
60596 Cinti Water	12-A-3	1,122.34
60597 Brian Elliff	1-A-2A	2,661.90
60598 Luanne Felter	1-A-2A	1,328.90
60599 Jana Grant	1-A-2A	960.80
60600 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,391.22
60601 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,620.78
60602 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,139.66
60603 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	1,146.88
60604 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,866.61
60605 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,171.60
60606 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,122.80
60607 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	374.00
60608 B. Pitman	1-B-1,12-A-1,1-D-1,4-B-1	1,923.67
60609 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	442.59
60610 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,124.62
60611 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	678.40
60612 PNC Bank	1-A-1,1-A-2,5-A-2,1-A-26,1-A-2A,1-B-1,1-D-1,4-B-1	3,598.28
60613 Defer Comp	1-A-2A	1,960.00
60614 State of Ohio	1-A-26	75.00
60615 Alphagraphics	1-A-26	81.48
60616 Batteries Direct	20-A-5	679.50
60617 Vogelpohl	20-A-5	368.00
60618 Beth. North	14-A-5	631.89
60619 Bound Tree	14-A-5	298.30
60620 Schein Inc.	14-A-5	1,152.10
60621 McCluskey Chev.	14-A-6	150.04
60622 KOI Auto	14-a-6	19.99
60623 Know Company	14-A-6,20-A-5	374.00
60624 Duke	7-A-1	2,053.31
60625 Duke	7-A-1	3,180.99
60626 Duke	7-A-1	5,280.96

60627 Arch. Landscape	12-A-8	390.00
60628 VOID		
60629 Grainger	1-B-8,12-A-5	237.60
60630 Tractor Supply	12-A-5,12-A-8	197.88
60631 Advantage Sign	3-A-10	350.00
60632 Red Wing Shoes	1-B-8	100.00
60633 Nicks Frame Shop	10-A-14	500.00
60634 Morton Salt	3-B-2	28,319.12
60635 Bruce Raabe	1-A-26	675.00
60636 VOID		
60637 Time Warner	1-B-4	69.95
60638 Tyco	10-A-7,1-B-4	55.73
60639 Wood & Lamping	1-A-10	47.50
60640 Staples	1-A-4	86.33
60641 Reliance Life	1-A-6	630.51
60642 Bill Pitman	1-A-3	55.00
60643 Doug Gehner	12-A-8	1,200.00
60644 Goldie The Clown	12-A-8	1,775.00
60645 HCRPC	1-J-1	7,256.88
60646 Business Card	12-A-8	190.88
60647 Advantage Sign	1-J-2,12-A-8	100.00
60648 Ace Exterm.	10-A-7,1-B-4	137.82
60649 Cinti Water	12-A-3	81.60
60650 Cintas	1-B-8	169.72
60651 Comdoc	1-A-26	122.29
60652 Superamerica	9-A-8	3,646.45
60653 Honeywell	10-A-8	6,944.40
60654 Lischeck Trucking	20-A-5	153.45
60655 Heritage Pham.	14-A-5	1,049.58
60656 Ace Exterm.	12-A-3	55.16
60657 Camp Safety	20-A-5	100.00
60658 Johnson Elec.	12-A-8,14-A-8,20-A-6	186.72
60659 Jones Fish	12-A-4	332.86
60660 Kleem	3-A-10	140.40
60661 Lykins Oil	3-A-5	447.52
60662 Moose-Schuler	12-A-3	129.00
60663 Batteries Plus	20-A-6,12-A-8	69.12
60664 Lykins Oil	3-A-5	292.95
60665 Cin-Com	20-A-5	383.00
60666 NE Center	10-A-7,20-A-7,14-A-7	13,607.25
60667 Fifth Third Bank	1-A-6	12,500.00
60668 Brian Elliff	1-A-2A	2,661.90
60669 Luanne Felter	1-A-2A	1,328.90
60670 Jana Grant	1-A-2A	960.80
60671 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,314.79
60672 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,634.76
60673 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,253.60
60674 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	1,086.19
60675 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,732.59
60676 M. Howell	12-A-1	53.13
60677 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,258.05
60678 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,186.59
60679 R. Malloy	1-A-2A	1,334.51
60680 D. Martin	1-B-1,12-A-1,1-D_1,4-B-1	374.00
60681 B. Pitman	1-B-1,12-A-1,1-D-1,4-B-1	1,959.17
60682 M. Rose	1-B-1,12-A-1,1-D_1,4-B-1	510.19
60683 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,283.27
60684 R. Williams	1-B-1,12-A-1,1-D_1,4-B-1	605.80
60685 Todd Flagel	1-J-1	132.82
60686 J. Harlow	1-J-1	44.27
60687 D. Havill	1-J-1	44.27
60688 Ron Ruhlman	1-J-1	88.55

60689 Ralph Wolfe	1-J-1	87.55
60690 D. Misrach	1-J-1	132.82
60691 PNC Bank	1-A-1,1-A-2,5-A-2,1-A-26, 1-A-2A,1-B-1,1-D-1,4-B-1	3,804.92
60692 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	71.62
60693 State of Ohio	1-A-1,1-A-2,1-A-2A,1-B-1,1-D-1,4-B-1,5-A-2	172.03
60694 State of Ohio	1-A-1,1-A-2,1-A-2A,1-B-1,1-D-1,4-B-1,5-A-2	1,694.00
60695 Springdale	1-A-1,1-A-2,1-A-2A,1-B-1,1-D-1,4-B-1,5-A-2	223.36
60696 Defer Comp	1-A-2A	1,960.00
60697 PERS	1-A-1,1-A-2A,1-B-1,5-A-3,4-B-1,5-A-2,1-A-12,4-A-2	15,564.46
60698 Willie Burns	1-A-3	72.95
60699 Y2K	5-A-11,12-A-5,20-A-7	4,856.00
60700 Duke	12-A-3	814.57
60701 Duke	12-A-3	290.33
60702 Duke	7-A-1	25.20
60703 Loveland	1-B-4,12-A-3	588.75
60704 Duke	9-A-13,10-A-7	2,343.84
60705 Duke	1-B-4	38.08
60706 Duke	1-B-4	515.12
60707 Duke	1-B-4	130.94
60708 Duke	20-A-8,1-B-4,12-A-3,10-A-7	98.45
60709 Duke	5-A-12	18.05
	TOTAL	\$356,051.49

### MINUTES

Minutes of the March 5, 2013 meeting were approved as submitted.  
Minutes of the March 19, 2013 meeting were approved as submitted.

### REPORTS

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

1. ROAD LEVY - Noted that the renewal of the Township Road and Sidewalk levy will be on the November ballot. This renewal is for .9 mil for seven (7) years. This is the same amount as currently in place. Additional information will be in the next newsletter.

LT. KETTERMAN - Advised that reports have been submitted to the Township.

CHIEF HUBER - Announced an Open House will be held at the Symmes Safety Center on October 7 from 5-7 p.m.

Chief Huber also announced the Loveland Symmes Fire Department was honored for its service to the community and presented an award for this national accreditation.

OTHER - MRS. LEIS reported she has been asked about a sidewalk between Home of the Brave and Symmes Park.

### HEARING FROM RESIDENTS

HERB RILEY, 8376 VICKSBURG (45249) - Thanked the Board for installation of sidewalks along Montgomery Road. Mr. Riley also thanked the Loveland Symmes Fire Department for its excellent EMS service. Their quick response to his wife's heart attack and then again to a stroke which prevented major damage.

### CORRESPONDENCE

cc:MANLEY BURKE to WOOD & LAMPING - e-mail with draft contract between Symmes/Loveland and Loveland-Symmes Fire Dept.

cc:DAVID MEINKING to LSFDD - e-mail regarding continued painting of hydrant by unknown with blue and gold colors.

HAMILTON COUNTY RURAL ZONING - Letter regarding proposed text amendments to Hamilton County Zoning.

KIMBERLY SIEBENTHAL - e-mail regarding water and nuisance issues on Kosine Lane.

JD CONTRACTING - Proposed for replacement of concrete pad at Symmes Fire House.

TRENT BULLOCK, 9839 HUMPHREY - e-mail requesting assistance in having fiber-optic services for cable in Township.

HAMILTON COUNTY SHERIFF DEPT - August report.

PECK SHAFFER - Notice of 2013 Filing of AFIS and audit on behalf of Township.

ROBERT GOERING, HAMILTON COUNTY TREASURER - Notice of Collection of Inheritance Taxes (\$104,852.00).

PERSO - Acknowledge of incident report on Gary Roell.

PAULA BROWN, 9946 JACKSON (45111) - e-mail note of appreciation for work done at Camp and Jackson Streets.

PERSO - Notification that claim on 2013 Ford has been closed.

RUMPKE - Recycling report.

JODY PACHECO - e-mail request for information on 8870 Wales Drive.

EVEREST REAL ESTATE - e-mail regarding inquires received on Chapelsquare property.

cc:DONALD FERGUSON to DAN FLUKE - Letter regarding property at 8384 Vicksburg Drive.

KATHLEEN SCHULTZ - e-mail regarding request for traffic light on Snider Road.

TONY RASCOV - e-mail expressing concern regarding recent incident on Montgomery Road.

CITY OF LOVELAND - e-mail regarding Union Cemetery Road SCIP application.

CHOICE ONE - e-mail regarding revised Union Cemetery proposal.

BOY SCOUT TROOP 817 - Notice that Evan A. Gray has completed requirements for Eagle Scout.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of liquor license transfer from DOS Tequila, LLC, 11928 Montgomery Road (45249) to La Palma Restaurant, Inc, dba El Cholula Restaurant, 11928 Montgomery Road (45249).

BURNHAM & FLOWERS - Letter regarding changes required by the Affordable Care Act.

TED KALSBEEK, 12177 MAPLE (45140) - Letter requesting additional street lights in neighborhood.

HAMILTON COUNTY AUDITOR - Notification of 2014 allocation of Local Government Fund (\$134,578.59)

cc:HAMILTON COUNTY ENGINEER to McKINNEY DEVELOPERS - Letter regarding recent inspection of streets in Loveland Trace Subdivision for acceptance.

BEV DORENBUSCH, 9208 LINK RD - e-mail request that newsletters be sent via email.

### ZONING AND PLANNING ISSUES

MR. BRYANT moved to cancel the December 3, 2013 meeting and to re-schedule this meeting to December 10, 2013. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to hold a special meeting on December 10, 2013 at 6:00 p.m. for the purpose of entering Executive Session to discuss the appointment 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 - 'aye'.

### OLD BUSINESS

MR. BRYANT moved to authorize the Administrator to accept proposal for annual copier maintenance and to approve an expenditure in the amount of \$995.00 and cost of 1.658/copy after 60,000 copies. Mrs. Leis seconded the motion.

MR. BRYANT reminded the Board that this issue was tabled from the last meeting in order to review the cost within the proposed agreement.

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

MR. ELLIFF provided the Board with updated information on the various electric aggregation suppliers. Mr. Elliff noted that Integrys has the lowest pricing. Mr. Elliff questioned how the Board wished to proceed.

BRENDA COFFEY, INTEGRYS - Stated they would waive any early termination fee to the residents. Mrs. Coffey further stated that she would recommend the Board enter into a three year term in order to ensure the best rate. They would be willing to suspend this agreement mid-term should Duke Energy have a better rate and be unable to provide a savings.

MR. BRYANT stated the Board needs to notify Duke Retail soon that the Township will not renew its electric aggregation agreement. Mr. Bryant stated he is leaning towards a three year contract with the no penalty clause.

MRS. LEIS stated Integrys has always done a good job in responding to questions from the Township and residents. Mrs. Leis further stated she did not feel there would be a better rate offered to the Township.

MR. BECK agreed the Board needs to lock into this rate.

MR. BRYANT moved to direct the Township Administrator to enter into an agreement with Integrys for a three (3) year term contract. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

### NEW BUSINESS

MS. SIMS advised she has completed an annual review of cemetery rates and rules of surrounding communities. Mrs. Sims stated the majority of the changes are minor; however, there is a proposed change which provides for a \$250.00 deposit at the time of burial to ensure that a grave marker is provided within a year.

MRS. LEIS questioned if this has been a problem in the past.

MS. SIMS advised that other cemeteries are starting to charge this deposit and this would help to make sure that a burial is marked. The deposit can be used by the family towards the foundation cost, or the Township will install a marker with the deposit. Mrs. Sims recommended the Board include this within the proposed resolution.

MR. BRYANT moved to adopt the following resolution:

**RESOLUTION C2013-01**

Resolution Amending Rules and Regulations  
and Revising Rate Schedule  
for Township Cemeteries

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio established and adopted rules and regulations for township cemeteries on March 6, 1990 by passage of Resolution C-9001; and

WHEREAS, the Board of Trustees of Symmes Township established and adopted a Rate Schedule for the cost of grave spaces, opening and closing fees, foundations, and others pursuant to Resolution C-9001; and

WHEREAS, revisions to the adopted rules and regulations and to the Rate Schedule have been made pursuant to Resolutions C-9601, C-0001, C-0201, C-0301, C-0302, C-0401, C-0701, C2011-01 and C2011-02 adopted May 21, 1996, May 19, 2000, September 3, 2002, July 1, 2003, October 7, 2003, September 7, 2004, June 5, 2007 and June 1, 2010; and

WHEREAS, the Board of Trustees of Symmes Township has determined the need to amend the rules and regulations and to revise the Rate Schedule; and

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

Section 1. Hereby amends the Symmes Township Cemetery Rules and Regulations as follows:

**BURIALS**

3. Interments are done Monday through ~~Friday~~ Saturday from 8:30 a.m. to 2:00 p.m. ~~and Saturday from 8:30 a.m. to Noon.~~ No arrivals will be permitted after these times. ~~Overtime fees apply to arrivals after the scheduled no exceptions.~~ No funerals are allowed on Sundays, Holidays, or Holiday week-ends.
6. All inurnments must be placed in a concrete ~~or plastic~~ urn vault deemed acceptable by the Cemetery Sexton. The cost of the concrete vault is included in the opening and closing fee.
10. Burial markers are required for all persons buried in the Township cemeteries effective January 1, 2014. A deposit of \$250.00 will be charged to ensure that a marker is provided within twelve (12) months after the burial.

The deposit can be used toward the foundation charge. If no marker is purchased by the family, this deposit will be used by the Township for a grave marker.

**FOUNDATIONS**

- 2. Foundations must be installed by Township employees. ~~and are placed in line to conform with existing markers.~~ Foundations are placed in line to conform with existing markers. Position and direction of face is to conform to the section in which it is located. It is the responsibility of the lot owner or their agent to check with the cemetery as to the proper size and location of marker.
- 11. Markers for the Double Vault section can not exceed ~~22x46~~ 20x44 in size.
- 13. Any inscriptions on a grave marker or monument shall be tasteful and not offensive. The Township reserves the right to reject any such offensive or obscene monument, marker or inscription.

**DECORATIONS**

- 2. Funeral flowers will be removed five (5) ~~three (3)~~ days after the funeral. Holiday decorations will be removed five (5) ~~three (3)~~ days after the Holiday except those placed on monuments or in monument vases. Flowers and other decorations placed on graves are periodically removed for grass mowing and other maintenance. All ground decorations will be removed annually after March 15 in preparation of the first mowing.
- 7. The Township does not assume responsibility for flowers or other decorations on a grave site within the cemetery. Flowers and decorations must be maintained by the person/s placing them.

**MAINTENANCE AND ENFORCEMENT**

- 7. Any item placed in the cemetery that is inconsistent with these rules and regulations, or that has not been approved by the Board shall be removed without notice. No signs, notices or advertising of any kind shall be allowed within the Cemetery except those placed by the Township.
- 8. It shall be unlawful for a person to engage in the activity of geocaching and letterboxing on cemetery grounds.

**VISITATION**

- 9. The Township is not responsible for any accident which may occur on Township cemetery property. Persons within the Cemetery should exercise caution while walking over the grounds because of irregularities in grading.

Section 2. Hereby revises the Cemetery Rate Schedule as follows:

Opening & Closing (includes lowering device, set-up and tent):	
Weekday (8:30 a.m. to 2:00 p.m.).....	<del>\$850.00</del> <u>900.00</u>
Saturday (8:30 a.m. to 2:00pm) .....	<u>1400.00</u>
Interment of ashes.....	<del>\$350.00</del> <u>450.00</u>
including 2x5 grave.....	<del>650.00</del> <u>750.00</u>

Section 3. This Resolution shall be effective January 1, 2014; and

Section 4. The Township Fiscal Officer is directed to cause the amended cemetery rules and regulations and revised Rate Schedule to be published once a week for two consecutive weeks in a newspaper of general circulation within the Township.

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

MR. BRYANT moved to adopt the following resolution:

**RESOLUTION F2013-02**

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, 2014; 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	1.00 mill	Outside of 10 m. limit
Road & Bridge II	.90 mill	Outside of 10 m. limit
Park - Rozzi	.90 mill	Outside of 10 m. limit
Safety Services	2.70 mill	Outside of 10 m. limit
Total	14.5 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.

MRS. LEIS seconded the motion.

MS. SIMS advised this is the next step in the budget process. The Hamilton County Budget Commission has reviewed the Township's 2014 Budget and this resolution accepts those amounts and rates.

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

MR. BRYANT moved to adopt Resolution G2013-25, Resolution Agreeing to Sell Certain Police Equipment to the Hamilton County Sheriff's Office.

MRS. LEIS seconded the motion.

MR. ELLIFF noted he had previously provided the Board with a memo regarding the transferring the ownership of Township police equipment to the Hamilton County Sheriff's Office. Mr. Elliff advised that other townships have already transferred its equipment.

MR. BRYANT questioned why this action is being recommended.

Lt. KETTERMAN advised that a handgun and taser is usually assigned to an officer and they accept responsibility for maintenance.

MR. BRYANT stated he would like to see the contract language modified to reflect that this equipment is being transferred to Hamilton County and the Township will no longer be responsible for its maintenance or replacement.

MR. ELLIFF stated he felt that was a reasonable request and did not feel this was currently in the contract. Mr. Elliff noted that the resolution should be tabled until this issue could be resolved.

MR. BRYANT moved to table adoption of Resolution G2013-25 until the next meeting. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-26

Resolution Authorizing the Township Administrator  
to Apply for and accept Ohio Public Works Commission  
("OPWC") grant, and Authorizing Funds and Necessary Agreements

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 ("Grant"); and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio ("Board") in association with the City of Loveland and Hamilton County, Ohio ("Project Partners") is planning to make capital improvements to Union Cemetery Road, including installation of certain sidewalk spans along Union Cemetery Road ("Project"); and

WHEREAS, Exhibit "A" hereto demonstrates the planned sidewalk locations; and

WHEREAS, the infrastructure improvement in the above-described Project is considered to be a priority need for the community and is a qualified project under the OPWC programs; and

WHEREAS, to accept the Grant the Board must enter into certain cooperative agreements with OPWC and the Project Partners as well as agree to certain funding and design commitments.

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

Section 1. The Township Administrator is authorized to apply for and accept the Grant from OPWC and apply the Grant funds and local match to the Project in cooperation with the Project Partners.

Section 2. The Township Administrator is authorized to enter into necessary agreements, subject to approval by counsel, as required and appropriate for obtaining the Grant, including a "cooperative agreement" with the Project Partners and a "project grant agreement" (or similar) with OPWC.

Section 3. The Township Administrator is authorized to accept any necessary easements or other approvals for installation of the planned sidewalks.

Section 4. The Board commits to and authorizes an expenditure of an amount not to exceed \$5,184.00 as the local match portion for the Grant for application to the construction of the sidewalk portion of the Project.

Section 5. The Board commits to and authorizes an expenditure of an amount not to exceed \$9,805.00 to Choice One Engineering for engineering design services for the sidewalk portion of the Project and authorizes the Administrator to enter into an agreement with Choice One Engineering for said design services.

MRS. LEIS seconded the motion.

MR. ELLIFF noted this is for the Union Cemetery project and the resolution finalizes the Board's action.

MR. BRYANT reminded the Board that there was discussion regarding extending the sidewalk, as well as whether a private property owner was responsible for a portion.

MR. ELLIFF noted that there was no requirement for this owner to install a sidewalk along this portion of his property. The Township was advised that extending the sidewalk would be difficult to include in the grant application at this time. Additionally, Hamilton County Engineer Office has advised there are no plans to widen Union Cemetery Road. Mr. Elliff stated that any sidewalk extension would be on private property.

MR. BECK questioned the status of the Enyart sidewalk.

MR. ELLIFF stated the Township was just notified there is a issue with an utility pole which is in the right-of-way. Hamilton County has been working with Duke Energy to have the pole re-located at no charge. Mr. Elliff advised this will probably be on the Board's agenda for the next meeting.

MR. BECK questioned if preliminary drawings should be prepared for the sidewalk extension in order to determine cost and possible locations, especially since the consultant will be in the vicinity.

MRS. LEIS stated she felt this was a good idea.

MR. BRYANT reminded the Board that the renewal levy is on the November ballot and the amount of sidewalk funding will be reduced.

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

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-27

Resolution Providing for the Declaration of Nuisance  
for the Property Located at 9070 Link Road  
and Authorizing All Necessary Steps for the  
Abatement of the Nuisance

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized under Ohio Revised Code Section 505.87 to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

WHEREAS, complaints have been received regarding the condition of the property located at 9070 Link Road (Parcel 620-0150-0095-00); and

WHEREAS, visual inspections of said property revealed significant overgrowth of grass and weeds, which are confirmed in photographs reviewed by the Board of Trustees; and

WHEREAS, Ohio Revised Code Section 3767.02 provides that any person, who uses, occupies, establishes, or conducts a nuisance, or aids or abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined from further maintaining such a nuisance; and

WHEREAS, R.C. 3767.03 provides that whenever a nuisance exists, the law director of a township that has adopted a limited home rule government under Chapter 504 of the Revised Code may bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it.

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

Section 1. That the property located at 9070 Link Road (Parcel 620-0150-0095-00) is hereby declared to be a nuisance.

Section 2. That the Township Administrator is hereby directed to notify the property owner, any known occupants of and any known responsible party for the property, and any lien holders of record upon said parcel that the property has been declared a nuisance using notice language and manner of notice specified in R.C. §505.87 and this resolution.

Section 3. That if the nuisance is not abated by the owner, occupants, or responsible parties then the Township Administrator is authorized to take all necessary steps to abate the nuisance.

Section 4. That the Township Law Director may if necessary in the future be authorized by the Board to bring an action in equity to abate the nuisance and to enjoin perpetually the person maintaining the nuisance from further maintaining it, pursuant to R.C. 3767.03.

Section 5. That the Township Fiscal Officer shall pay out of the Township general fund for all expenses incurred for abating the nuisance and to bill the property owner for said expenses.

Section 6. That the Township Fiscal Officer shall enter upon the tax duplicate for said expenses if not paid within fourteen (14) days from date of billing.

Section 7. That, in addition to the authority granted the Township Law Director, the Township Administrator is directed to monitor said property for ninety (90) days to ensure compliance and is authorized to take appropriate measures to abate future nuisances after written notification is made to the property owner.

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

MR. BRYANT moved to authorize the Hamilton County Board of Elections to use Symmes Park for staging for the November 5, 2013 general election and to authorize the administrator to sign necessary paperwork. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to place seasonal employees David Martin and Ray Williams on intermittent status per Article 1, Section C of the Personnel Policy Manual. Mrs. Leis seconded the motion.

MR. ELLIFF stated Staff is requesting this change in order to utilize these workers for snow removal.

MR. BRYANT questioned if there are any time limits.

MR. ELLIFF stated he felt it would be beneficial to place limits.

MS. SIMS expressed concern that the pay for these employees would now be charged to "roads" rather than to "parks" as reflected in the budget.

MR. PITMAN stated these employees have expressed an interest in returning next season and this allows them to remain available if there a need for additional manpower during the off season. The total time would not exceed forty (40) hours per week.

MR. BRYANT questioned if this was a way for an additional person to be added to the Service Department.

MR. PITMAN stated the budget does reflect an additional person for the park.

MR. BRYANT questioned if the Board needed to take action at this meeting.

MS. SIMS stated she would like to have a better idea of how these intermittent employees would be utilized since the wages are taken from different funds. Ms. Sims noted that it appears there would now be an additional forty (40) hours per week in salary.

MR. BRYANT moved to table this action until additional information is provided to the Board. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to establish October 31 from 6:00 p.m. to 8:00 p.m. as the date for Halloween Trick or Treat. Mr. Beck seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to establish Permanent Appropriation 28-A-8 (Fire/Rescue Fees - Contracts) in the amount of \$5,000.00. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MR. BRYANT moved to amend the following Permanent Appropriations:

- a.1-A-16 (General - General Health District) from \$35,000.00 to \$35,188.82
- b.1-J-3 (General - Zoning - Other) from \$65,000.00 to \$95,000.00
- c.3-A-4 (Gasoline Tax - Tools/Equipment) from \$250.00 to \$20,000.00
- d.12-A-7 (Parks - Maintenance/Repairs) from \$6,800.00 to \$7,000.00
- e.14-A-08D (Misc-Note Proceeds TIF - Other Expenses) from \$7,100.00 to \$9,700.00
- f.23-A-9 (Permissive MV License - Other Expenses) from \$1,000.00 to \$2,500.00

Mr. Beck seconded the motion.

MS. SIMS noted this is just the time of the year when changes to certain appropriations are necessary.

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

MR. BRYANT moved to approve:

- a. Expenditure in the amount of \$3,026.42 (Then & Now) for repairs to Engine 60
- b. Expenditure in an amount not to exceed \$2,000.00 for the purpose of fertilizer for Home of the Brave Park
- c. Expenditure in an amount not to exceed \$1,900.00 for the purchase of road galvanized sign posts
- d. Expenditure in an amount not to exceed \$1,600.00 for the purchase of one skid of trash can liners
- e. Expenditure in the amount of \$840.00 for replacement of U.S. and Ohio flags
- f. Additional expenditure in an amount not to exceed \$9,712.00 for mowing in parks, cemetery and safety center

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

The Board had no objection to the liquor license transfer from Dos Tequila, LLC, 11928 Montgomery Road to La Palma Restaurant, Inc., dba El Cholula Restaurant, 11928

Montgomery Road.

The following cemetery deeds were approved:

- James Johnson, KERR Cemetery, Lot 618, Grave 7 and 8
- Phillip Johnson, KERR Cemetery, Lot 337, Grave 4
- Terry Woods, UNION Cemetery, Lot 813W, Grave 2

EXECUTIVE SESSION

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

The meeting adjourned for Executive Session at 8:50 p.m.

The meeting reconvened from Executive Session at 10:55 p.m.

No further action was taken and the meeting adjourned at 10:55 p.m.