

\*\*\*\*\*

**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**MAY 7, 2013**

\*\*\*\*\*

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 Ms. Carol Sims.

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

PRESENTATION

CHIEF HUBER advised he was available to answer any questions the Board might have about the purchase of this new fire truck. This is a key apparatus owned by the Township for fire services to the residents.

Chief Huber stated this is a planned and budgeted replacement and was scheduled for replacement in 2015. Upon discussions with Fiscal Officer Borchers and newly appointed Fiscal Officer Sims, it was agreed that moving the replacement of the Ladder truck up and delaying the replacement of the Fire Engine was our best move overall due to repairs costs being experienced with the current Ladder truck.

Chief Huber noted that \$900,000.00 has been budgeted for this purchase which will be made under state bid. The Township will be receiving \$181,500.00 for trade in on the current vehicle which results in an out of pocket cost of \$892,173.46.

The Board thanked Chief Huber for this discussion.

RECEIPTS

Receipts totaling \$467,794.99 were read and accepted.

WARRANTS

MR. BRYANT moved that the Township pay its bills. Mr. Beck seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling \$551,179.34 were issued.

REPORTS

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

1. RETIREMENT RECEPTION - Reminded the Board that a reception is planned for May 10 at the Safety Center in honor of the retirement of long time Fiscal Officer John Borchers and longtime Assistant Fiscal Officer Carol Sims, and also to welcome Carol Sims as the newly appointed Fiscal Officer.
2. MEMORIAL DAY - Reminded the Board of this event scheduled for May 24.
3. FACEBOOK - Reviewed memo explaining the use of Facebook in association with our current website. Mr. Elliff noted there would be little additional staff demand needed; however,

there would be a cost of \$400 to setup the Facebook page and interface.

MRS. LEIS stated this will increase the opportunities of making residents aware of Township events.

MR. BRYANT stated he was in favor since it does not require additional staff time. Mr. Bryant questioned how the Township could save money on the publication and distribution of the newsletter.

MR. BECK questioned if the \$400.00 was a one-time charge.

MR. ELLIFF stated it was a one-time charge and thanked the Board for their input.

4. WEBSITE STATISTICS - Our web service provider has advised that our website was constructed to take advantage of Google statistics and he will make this information available to the Board.

5. PUBLIC RECORDS TRAINING - Advised that he and Ms. Sims attended the recent Certified Public Records Training. Mr. Bryant requested that any information from this training be shared with the Board.

6. HUMPHREY ROAD SIDEWALK - Updated the Board on the status of this project. Mr. Bryant questioned if this project will be finished on time.

MR. PITMAN advised that this project is on schedule.

LT. BUTLER - Advised the two new cruisers have been received and will be in service soon.

CHIEF HUBER - Reported the 1st Quarter Report is available and will be posted on the LSFD website.

OTHER - MS. SIMS stated she was aware of the Board's interest in meeting with Mr. Borchers to discuss the financial condition of the Township and questioned if the Board was still interested in holding a work session. Ms. Sims advised she will be meeting with Staff to start the review of the 2014 Budget.

MR. BRYANT moved to hold a special meeting on May 28, 2013 at 7:00 p.m. for the purpose of holding a worksession to discuss the financial condition of the Township. Mrs. Leis seconded the motion and the roll call vote was as follows: Mr. Bryant - 'aye'; Mrs. Leis - 'aye'; Mr. Beck - 'aye'.

MS. SIMS advised she would forward information to the Board prior to the meeting.

MRS. LEIS reminded the Board of past conversations regarding landscaping that area in the Loveland Madeira/Hopewell area.

MR. ELLIFF advised prior plans have been presented to the Board and suggested the Board hold a work session in order to review and discuss various options and to provide guidance for Staff.

The Board agreed this was a good suggestion.

MR. ELLIFF advised he would forward possible dates to the Board.

MR. LEIS reminded Staff that the Home of the Brave Park entrance still needs attention.

#### CORRESPONDENCE

M.E. ROSE COMPANY - Proposal for installation of lights on Ford utility Interceptor.

LT. BUTLER - e-mails regarding recent incidents at 8500 Governors Hill Drive and 12193 Sycamore.

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

BILL BOWMAN - e-mail regarding nuisance at 9077 Foxhunter.

WOOD & LAMPING - e-mail opinion regarding recreational users - immunity of Township.

RAY LO - e-mail regarding signage and trees along Humphrey/Hopewell Meadows.

JEFF SCHAMEL - e-mail inquiry regarding access to Home of Brave Park.

CLARK-THEDERS INSURANCE COMPANY - e-mail regarding coverage for park program.

cc:BETTY STANTON to CLARK HACKETT - Response to request for audit information.

M/M LEWIS, 11651 RISINGWIND (45249) - e-mail of appreciation for assistance from police officer.

CHOICE ONE - Letter regarding Humphrey Road sidewalk bid.

MARJIE BECUS - e-mail regarding connection from Royal property to HOB park.

ALEX RAWLINGS - e-mail regarding use of HOB fields.

BURHAM & FLOWER - Letter regarding upcoming insurance renewal.

TRI HEALTH - Proposal for organizational assessment.

CHARMAINE EVANS - Notification that park damage has been repaired.

OHIO PUC - Request for annual report.

JULIET KNECHTLY, 9200 OLD COACH - e-mail request for new street sign.

GREGG HOTHEM - e-mail with letter outlining capital improvements for Meade House (letter not forwarded with e-mail).

cc:OTA to BILL PITMAN - Letter regarding completion of Leadership Academy.  
HAMILTON COUNTY AUDITOR - Certificate of estimate property tax revenue for proposed levy.

CINCINNATI HORTICULTURAL SOCIETY - Letter (received 4-22) regarding capital improvement requests for Meade House.

HAMILTON COUNTY AUDITOR - Notice of public hearing on 2014 Budget for Health District.

cc:MSD to QUEEN CITY SANDWICH - Letter regarding conditional availability of sewer for 11379 Montgomery Road.

M/M ZHAO, 11801 NATHANSHILL (45249) - Letter regarding condition of curbs in from house.

OHIO DEPARTMENT OF LIQUOR CONTROL - Notice of new liquor license for IPHO, 11927-29 Montgomery Road.

OHIO PUC - Certificate of annual report.

PAULA JINKS - Public records request for copier/printer leases and service contracts.

JANI KING - Proposal for cleaning services at Safety Center.

HAMILTON COUNTY CLERK OF COURTS - Letter regarding traffic fine adjustments.

HAMILTON COUNTY BUILDING DEPT - Certificate of Occupancy for new deck.

NEW BUSINESS

MR. BRYANT moved to adopt the following resolution:

RESOLUTION G2013-12  
RESOLUTION DETERMINING TO PROCEED TO LEVY  
A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION

WHEREAS, this Board of Township Trustees of Symmes Township, Hamilton County, Ohio has heretofore declared the necessity of levying a renewal of a tax in excess of the ten-mill limitation for the benefit of this Township pursuant to the provisions of Section 5705.19 (PP) of the Ohio Revised Code for the purposes of the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, the Board of Township Trustees has heretofore certified to the County Auditor a Resolution requesting the County Auditor to certify to this Board of Township Trustees the total current tax valuation of the Township and the dollar amount of revenue that would be generated by nine tenths (.9) mill per year as specified in such Resolution, and this Board of Township Trustees has received the certification of the County Auditor that such total current tax valuation is \$573,181,230 and that such dollar amount of revenue is \$515,863 per year (a copy of such certification is attached hereto as Exhibit "A").

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Symmes Township (herein the "Township"), County of Hamilton, Ohio, by at least two-thirds of all the members elected thereto concurring:

Section 1. That it is hereby declared that the amount of taxes which may be raised in this Township within the tenmill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of this Township.

Section 2. That pursuant to the provisions of Sections 5705.19 (PP) and 5705.25 of the Ohio Revised Code, it is necessary to levy a renewal of an existing tax to constitute a tax in excess of such tenmill limitation of the Township for the purposes of providing necessary funds for the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements, at the rate not exceeding nine tenths (.9) mill for each one dollar (\$1.00) of valuation, which amounts to nine cents (\$0.09) for each one hundred dollars (\$100.00) of valuation, for a period of seven (7) years.

Section 3. That the question of the adoption of said renewal tax levy shall be submitted to the electors of the Township at the election to be held on November 5, 2013, and if said levy is approved by a majority of said electors such renewal tax shall first be placed upon the 2013 tax list and duplicate, for first collection in calendar year 2014.

Section 4. That the form of the ballot to be used at said election shall be substantially as follows:

PROPOSED TAX LEVY OF  
SYMMES TOWNSHIP  
A majority affirmative vote is  
NECESSARY FOR PASSAGE

A renewal of a tax for the benefit of Symmes Township, County of Hamilton, Ohio, for the purposes of providing necessary funds for the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges within the Township and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interest in land necessary for the foregoing improvements, at a rate not exceeding nine tenths (.9) mill for each one dollar (\$1.00) of valuation, which amounts to nine cents (\$0.09) for each one hundred dollars (\$100.00) of valuation, for a seven (7) year period of time, commencing in 2013, first due in 2014.

FOR THE TAX LEVY  
AGAINST THE TAX LEVY

Section 5. That the Fiscal Officer of this Board of Township Trustees be and is hereby directed to certify a copy of this resolution to the Board of Elections, not later than four o'clock (4:00) p.m. of the ninetieth (90th) day before the date of said election and to notify said Board of Elections to cause notice of the election on the question of levying said tax to be given as required by law, substantially in the form of the notice attached hereto as Exhibit "B".

Section 6. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Township Trustees; and that all deliberations of this Board of Township Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

MRS. LEIS seconded the motion.

MR. BRYANT advised this is to certify the Road Levy to the Board of Elections for the placement of a renewal levy of .9 mill for seven years on the November ballot.

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 G2013-13  
RESOLUTION AUTHORIZING PURCHASE OF A LADDER TRUCK THROUGH THE  
STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, WHICH PURCHASE  
SHALL INCLUDE A TRADE IN OF A USED LADDER TRUCK DETERMINED BY THE  
TOWNSHIP TO BE SURPLUS

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, finds that the 2001 Ladder Truck is not needed and is not fit for Township's public use and wishes to have the price of the vehicle (valued at \$181,500.00) credited to the firm against the purchase price of another Ladder Truck to be acquired and put in service for the benefit of the Township; and

WHEREAS, the Board of Township Trustee's is authorized to trade in the 2001 Ladder Truck in conjunction with the purchase of a replacement Ladder Truck acquired as part of the Ohio State Cooperative Purchasing Program without any competitive bidding pursuant to ORC 505.10 and Ohio Attorney General Opinion 1997-006; and

WHEREAS, the Board of Township Trustees has determined to acquire a ladder

truck available through the State Cooperative Purchasing Program pursuant to State Bid #800257/STS618Y.

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

Section 1. The Board of Township Trustees hereby finds that the 2001 Ladder Truck has a value of \$181,500.00, that said Ladder Truck is no longer suitable for public use by the Township for the Emergency Services and, hereby authorizes and directs that the Ladder Truck be used to trade-in as part of the transaction for the purchase of a Ladder Truck offered for sale pursuant to the Ohio State Cooperative Purchasing Program, State Bid #800257/STS618Y, more specifically described as a 2013 Sutphen SPH100 Aerial Platform Stock 383 Truck for a total net purchase price (after trade-in) not to exceed \$892,173.46. The Board of Township Trustees further authorizes and directs that the Township Administrator, in consultation with the Township Law Director, review and approve and sign such documents as are necessary to effect the purchase and trade-in of the respective Ladder Trucks.

Section 2. The Board of Trustees of Symmes Township upon majority vote does hereby dispense with any requirement that this Resolution be read on two separate days and hereby authorize the adoption of this Resolution upon its first reading.

Section 3. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

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 G2013-15**  
Resolution of Appreciation for  
John C. Borchers

WHEREAS, John C. Borchers has served Symmes Township as Fiscal Officer since December 7, 1993; and

WHEREAS, John C. Borchers has also served as a member of the original Parks and Recreation Committee since June 6, 1989 and was involved with the establishment of the Township's first public recreation area - Symmes Park on Lebanon Road; and

WHEREAS, John C. Borchers has experienced dramatic changes in the revenue and expenditures of Symmes Township and has seen the Annual Budget grow from \$4 Million in 1993 to over \$11 Million for 2013; and

WHEREAS, John C. Borchers has provided the Board of Trustees with sound financial guidance and has led the Township in a tradition of fiscally conservative financial control with the best interest of the public in mind; and

WHEREAS, John C. Borchers has demonstrated an exceptional commitment to public service over the last twenty-three years through his initiative and commitment of improving our community; and

WHEREAS, since John C. Borchers has announced his retirement from public service, the Board of Trustees, Staff and residents wish to publicly acknowledge the dedication and excellence of his work and his integrity exhibited throughout his career as Fiscal Officer.

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

Section 1. Hereby recognizes his dedicated and outstanding service to Symmes

Township.

Section 2. Hereby expresses its most sincere respect and profound gratitude to John C. Borchers for his commitment and accomplishments during his twenty-three years of dedicated service.

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 John C. Borchers 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 - 'aye'.

MR. BRYANT Moved to adopt the following resolution:

**RESOLUTION G2013-16**  
Resolution of Commendation for  
Carol A. Sims

WHEREAS, Carol A. Sims was hired on March 13, 1989 as the first full time office staff for Symmes Township; and

WHEREAS, Carol A. Sims has served as Assistant Fiscal Officer for twenty-four years and has also taken on the responsibility of Cemetery Sexton, Zoning Secretary and Office Manager, as well as numerous special projects and events assigned by the Board of Trustees; and

WHEREAS, Carol A. Sims was responsible for the computerization of the accounting and cemetery records of Symmes Township, played an important role in the development of the Township Zoning Resolution and worked for the establishment of the Symmes Township Historical Society; and

WHEREAS, the Board of Trustees, Staff and residents have benefitted from her formal knowledge, practical experience, judgment and insight into Township government; and

WHEREAS, Carol A. Sims has work with John C. Borchers for the past nineteen years to provide the Board of Trustees with sound financial guidance and a tradition of fiscally conservative financial control; and

WHEREAS, Carol A. Sims has demonstrated professionalism in her conduct and has worked to improve the visibility and public image of the Township and has touched the lives of many residents in a positive way; and

WHEREAS, Carol A. Sims retired as Assistant Fiscal Officer on March 19, 2013 in order to accept the Board of Trustees' unanimous appointment as the Township Fiscal Officer which was vacated upon the retirement of John C. Borchers.

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

Section 1. Hereby recognizes her loyal and dedicated service to the elected officials and residents of Symmes Township.

Section 2. Hereby further recognizes the excellence of her work and the integrity exhibited throughout her twenty-four year career with Symmes Township.

Section 3. Hereby expresses its most sincere respect and profound gratitude to Carol A. Sims for her commitment, accomplishments and invaluable service.

Section 4. Hereby looks forward to working with Carol A. Sims as the Township Fiscal Officer in the years ahead.

Section 5. Hereby orders that this Resolution be permanently recorded in the official records of the Township and that a copy be delivered to her.

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

The Board advised that these two resolutions will be presented at the scheduled Retirement Reception.

MR. BRYANT moved to hire Darrell Pettigrew as a seasonal employee at a rate of \$11.66 per hour for a term to begin not before May 8, 2013 and end on October 31, 2013. Mrs. Leis seconded the motion.

MRS. LEIS questioned the amount of hours scheduled for these seasonal workers.

MR. PITMAN advised the 80 hours a week will be split between these two seasonal employees and there would be no overtime.

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

MR. BRYANT moved to David Martin as a seasonal employee at a rate of \$11.66 per hour for a term to begin not before May 8, 2013 and end on October 31, 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 approve a one year cleaning contract for the Safety Center with Jani-King Cleaning Services at a rate of \$814.00 per month and to authorize the Township Administrator to accept the agreement. 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 approve an expenditure not to exceed \$2,000.00 for electro static painting of the remote shelter roof and poles at Hopewell Meadows Park and to authorize the Township Administrator to accept the proposal from Static All Pro Services. 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 amend:

a. Permanent Appropriation 14-A-01B (Misc-TIF - Debt Service) from \$280,000.00 to \$790,000.00

b. Permanent Appropriation 14-A-04B (Misc - TIF - Interest) from \$161,090.00 to \$365,090.00

c. Permanent Appropriation 14-A-01D (Note Proceeds - TIF - Debt Service) from \$510,000.00 to \$0.00

d. Permanent Appropriation 14-A-04D (Note Proceeds - TIF - Interest) from \$204,000.00 to \$0.00

e. Permanent Appropriation 14-A-08 (EMS - Other) from \$20,000.00 to \$24,750.00

MR. BECK seconded the motion.

MS. SIMS advised that the first four amendment is due to the recommendation of our Auditor for payment of all debt service from the Misc-TIF fund.

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 G2013-14**

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 2013 obligations is a total of \$971,490.00; 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 \$971,490.00 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 - 'aye'.

MR. BRYANT moved to approve:

- a.Expenditure in the amount of \$2,200.00 for installation of LED lighting at Home of the Brave Park shelter and playground
- b.Expenditure in an amount not to exceed \$5,000.00 for street signage upgrade program
- c.Expenditure in an amount not to exceed \$2,000.00 for material testing for the 2013 Resurfacing Program
- d.Additional expenditure (Then & Now) in the amount of \$271.00 for the purchase of fire helmets
- e.Expenditure in the amount of \$2,165.00 for the purchase of fire boots
- f.Expenditure in the amount of \$3,367.80 for the purchase of fire turnout gear, gloves and helmet shields
- g.Expenditure in the amount of \$4,432.00 for the purchase of modems for Fire/EMS apparatus computers
- h.Expenditure in the amount of \$4,750.00 for 1/2 cost of accreditation renewal for Loveland Symmes Fire Department
- i.Expenditure in an amount not to exceed \$21,500.00 for 1st Quarter franchise fees

The following cemetery deed was approved

-Carl Ealy, Kerr Cemetery, Lot 528, Grave 3

**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: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The meeting adjourned for Executive Session at 8:05 p.m.

The meeting reconvened from Executive Session at 9:01 p.m.

MR. BRYANT moved to authorize the Township Administrator to enter into an agreement with the Everest Group to list the Chapelsquare Fire Station real estate. 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 at 9:02 p.m.