
MINUTES OF SYMMES TOWNSHIP REGULAR MEETING

JANUARY 7, 2014

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.

OATH OF OFFICE

JODIE LEIS presented her bond to the Board of Trustees. Judge Brad Greenberg administered the oath of office to Trustee Leis who was elected in November to a four-year term.

KENNETH BRYANT presented his bond to the Board of Trustees. Judge Brad Greenberg administered the oath of office to Trustee Bryant who was elected in November for a four-year term.

CAROL SIMS presented her bond to the Board of Trustees. Judge Brad Greenberg administered the oath of office to Fiscal Officer Sims who was elected in November to the unexpired term.

PRESENTATION

The Board of Trustees presented a letter of commendation to the Loveland High School varsity football team for its success of the 2013 football team.

MR. BRYANT announced the Board would take a brief recess for a small reception.

The meeting re-convened at 7:30 p.m.

ORGANIZATION OF THE BOARD

MS. SIMS asked for nominations for President of the Board and noted that a second would not be required.

MR. BECK moved to appoint Jodie Leis as President of the Board. There was no second to the motion and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MRS. LEIS asked for nominations for Vice-President of the Board and noted that a second would not be required.

MRS. LEIS moved to appoint Phil Beck as Vice President. There was no second and the roll call vote was as follows: Mr. Beck - 'aye'; Mr. Bryant - 'aye'; Mrs. Leis - 'aye'.

MRS. LEIS announced that Trustee meetings for 2014 will continue to be held on the first Tuesday each month at 7:00 p.m., with Special meetings scheduled as needed.

Mrs. Leis announced the salary for the Township Trustees will be \$15,998.00 and will be paid in monthly installments. The salary for the Township Fiscal Officer will be \$24,355.00 per year, paid in monthly installments.

Mrs. Leis announced that members of the Township Zoning Commission and Board of Zoning Appeals will receive \$50.00 per meeting.

Mrs. Leis announced that the Employee Personnel Policy will remain the same and that the Holiday schedule will remain as outlined in the Employee Personnel Policy.

Mrs. Leis announced the Township will continue its contract with the Loveland Symmes Fire Department at an annual fee of \$2,067,357.31 and its contract with the Hamilton County Sheriff's Patrol at an estimated cost of \$955,313.07.

Mrs. Leis announced the Township will continue employee reimbursement for cell phones in the amount of \$700.00 to employees who use their own phone/service and in the amount of \$550.00 to employees who use a Township phone with personal calls.

The following appointments were made by the Board:

Carol Sims as the Board Representative to Finance Committee;
Ken Bryant as the Board Representative to the Ad Hoc Community Reinvestment Area Committee;
Phil Beck as the Board Representative and Carol Sims as the Alternate to C.L.O.U.T.;
Jodie Leis as the Board Representative to Hamilton County Planning Partnership;
Jodie Leis as the Board Representative to Hamilton County General Health District Advisory Council;
Ken Bryant as the Township Representative to ICRC;
Phil Beck as the Township Representative to the Hamilton County Township Association;
Brian Elliff as the Township Representative to the Cincinnati Horticultural Society;
Brian Elliff as the Township Representative to the Hamilton County Tax Incentive Review Council;
Bill Pitman as the Township Representative to Hamilton County Township Road Superintendents Association; and
Brian Elliff as the Township Representative to the Hamilton County Storm Water District.

RECEIPTS

Receipts totaling \$77,593.82 were read and accepted:

19267 Shihasi Starwind	1-E	1,884.00
19268 VOID		
19269 Ham Cty Auditor	23-C	3,377.49
19270 Ham Cty Auditor	2-A	1,076.77
19271 Ham Cty Auditor	1-D	10,844.07
19272 David Blumberg	1-L	244.00
19273 Thomas Decks	1-L	95.00
19274 Symmes Fire Dept	28-A,14-C	15,052.62
19275 Ham Cty Auditor	3-B	2,640.13
19276 Kraft Foods	9-F	50.00
19277 Boston Market	9-F	450.00
19278 Marion Investments	1-E	1,705.75
19279 Ham Cty Auditor	3-A	7,740.14
19280 RBC	1-I	1206.26
19281 Hearthstone Estates	1-P	500.00
19282 C&M Woodcrafters	1-L	153.00
19283 Carrissa Barbee	1-L	368.59
19284 PNC Bank	1-I	206.00
19285-88 MEMO		
19289 Hamilton County	14-CI	30,000.00
	TOTAL \$	77,593.82

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 \$599,352.27 were issued:

61194 PNC Bank	1-A-6	\$ 615.65
61195 Dorn's	1-A-4	225.67
61196 Duke	1-E-1	62.50
61197 Choice One	11-C-4	244.00
61198 ComDoc	1-A-26	130.13
61199 Alphgraphics	1-A-26	193.02
61200 Ace Exterm.	10-A-7	49.65
61201 Bruce Raabe	1-A-26	675.00
61202 JK Meurer	11-C-3	7,775.00
61203 Jani-King	20-A-6,9-A-14	814.00
61204 Camp Safety	14-A-6	362.50
61205 Best One Tire	23-A-6	105.00
61206 Successful Products	1-B-8	230.62
61207 Batteries Plus	12-A-8	18.95
61208 O'Reilly Auto	23-A-7	35.35
61209 Time Warner	1-B-4	69.95
61210 Blust Motor	23-A-7	735.42
61211 Hydramachine	23-A-7	119.26
61212 Best One	23-A-6	654.00
61213 Shell Oil	3-A-5	141.72
61214 Ace Exterm.	9-A-13,10-A-7	59.69
61215 Bruce Raabe	1-A-26	1,350.00
61216 Red Wing Shoes	1-B-8	148.00
61217 Duke	10-A-7	1,185.42
61218 Cintas	1-B-8	84.86
61219 Carrigan & Grimm	20-A-6	302.00
61220 Alphgraphics	5-A-12	111.60
61221 Duke	7-A-1	3,164.49
61222 Duke	7-A-1	2,044.20
61223 Home Depot	1-B-2	74.14
61224 Ace Exterm.	12-A-3,1-B-4	143.33
61225 Staples	1-A-4	88.36
61226 Sam's	20-A-6	399.00
61227 Brian Elliff	1-A-2A	2,661.90
61228 Luanne Felter	1-A-2A	1,328.90
61229 Jana Grant	1-A-2A	960.80
61230 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,479.17
61231 W.Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,728.76
61232 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,321.40
61233 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	1,163.69
61234 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,847.74
61235 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,305.19
61236 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,523.83
61237 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,422.74
61238 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,524.27
61239 Defer Comp	1-A-2,4-B-1	2,185.00
61240 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	3,961.84
61241 Dorn's	1-A-5	399.00
61242 Cintas	1-B-8	84.86
61243 Cinti Water	12-A-3	266.16
61244 Sprint	14-A-8	61.98
61245 McCabe's	1-B-8,1-B-7	29.03
61246 Smyth Auto.	23-A-7	36.22
61247 Business Card	1-A-26	7.81
61248 KE Rose Co.	23-A-7	473.00
61249 Superamerica	9-A-8	3,677.99
61250 KOI Auto	20-A-5	85.87
61251 KE Rose Co.	23-A-7	446.42
61252 Dsuban Spring	14-A-6	130.48
61253 McCluskey	14-A-6	134.46
61254 Postmaster	1-A-26	300.00

61255 Dorn's	1-A-4	41.99
61256 Grainger	20-A-6	172.40
61257 Kleem	3-A-10	2,194.00
61258 Accent Signs	20-A-6	400.00
61259 Morton Salt	3-B-2	5,326.65
61260 Haddix Tree	12-A-4	350.00
61261 Power Train	23-A-7	141.60
61262 Loveland	12-A-3	197.43
61263 Tractor Supply	12-A-5, 12-A-8	79.82
61264 Trupointe	12-A-4	900.00
61265 Overhead Door	20-A-6	247.50
61266 Cintas	1-B-8	84.86
61267 Eagle Materials	14-A-8	192.00
61268 Osterwisch Co.	1-B-2	654.00
61269 Graybar Electric	1-B-2	39.10
61270 Rumpke	12-A-3	335.00
61271 Staples	1-A-4	26.08
61272 Lykins Oil	3-A-5	497.06
61273 Red Wing Shoes	1-B-8	449.97
61274 Roto-Rooter	14-A-8	218.40
61275 Loveland	1-B-4	135.04
61276 Home Depot	3-B-2,1-B-2,12-A-8,1-B-2	371.67
61277 McCabe's	23-A-4,1-B-2	20.21
61278 Kleem	3-A-10	746.21
61279 O'Reilly Auto	23-A-7	1.68
61280 Reladyne	23-A-7	335.50
61281 Rumpke	1-A-26	213.09
61282 Enquirer	1-A-26	25.00
61283 JT Flags	3-A-10	252.00
61284 Best One Tire	14-A-6	2,616.82
61285 Dorn's	1-A-5	299.00
61286 Johnson Electric	20-A-6	116.25
61287 Verizon	14-A-8	421.44
61288 Verizon	14-A-8	360.60
61289 Bound Tree	20-A-8,1-B-8	1,990.00
61290 Silco Fire	14-A-6	220.00
61291 Sutphen	20-A-5	82.58
61292 Koorsen Fire	20-A-5	208.00
61293 - 96 VOID		
61297 Duke	1-B-4	60.43
61298 Ham Cty Sheriff	20-A-7	75,143.00
61299 Verizon	14-A-8	450.56
61300 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	95.53
61301 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	221.26
61302 State of Ohio	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	1,924.00
61303 Springdale	1-A-1,1-A-2,1-A-2A, 1-B-1,1-D-1,4-B-1,5-A-2	277.00
61304 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	17,178.29
61305 Brian Elliff	1-A-2A	2,661.90
61306 Luanne Felter	1-A-2A	1,328.90
61307 Jana Grant	1-A-2A	960.80
61308 J. Andrews	1-B-1,12-A-1,1-D_1,4-B-1	1,303.65
61309 W. Burns	1-B-1,12-A-1,1-D-1,4-B-1	1,766.74
61310 S. Connor	1-B-1,12-A-1,1-D_1,4-B-1	1,340.05
61311 Ed Dawes	1-B-1,12-A-1,1-D-1,4-B-1	859.49
61312 D. Heider	1-B-1,12-A-1,1-D-1,4-B-1	1,647.21
61313 M. Howell	12-A-2	53.13
61314 J. Iles	1-B-1,12-A-1,1-D_1,4-B-1	1,258.05

61315 R. Jackson	1-B-1,12-A-1,1-D-1,4-B-1	1,122.80
61316 R. Malloy	1-A-2A	1,334.51
61317 B.Pitman	1-B-1,12-A-1,1-D-1,4-B-1	2,102.20
61318 Brent Scott	1-B-1,1-D-1,12-A-1,4-B-1	1,124.61
61319 Phil Beck	1-A-1	1,163.49
61320 Ken Bryant	1-A-1	631.49
61321 J. Leis	1-A-1	1,046.49
61322 C. Sims	1-A-2	1,394.23
61323 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	4,399.08
61324 Defer Comp		2,435.00
61325 Prus & Son	11-C-4	21,475.00
61326 Cinti Bell	9-A-13,10-A-7	711.54
61327 Duke	12-A-3	891.65
61328 Duke	12-A-3	400.36
61329 Duke	5-A-12,1-B-4	1,031.79
61330 Thys. elevator	20-A-6	285.43
61331 Verizon		243.44
61332 Wood & Lamping	1-A-10	475.00
61333 Tyco	10-A-7,1-B-4	56.54
61334 Reliance Life	1-A-6	622.01
61335 Medical Mutual	1-A-6	15,868.81
61336 Dental Care	1-A-6	1,233.95
61337 Symmes Fire	14-A-7,10-A-11,20-A-7	172,277.31
61338 Symmes Fire	14-A-7,10-A-11,20-A-7	172,280.00
61339 Symmes Fire	10-A-11	500.00
61340 Symmes Fire	10-A-11	500.00
61341 Comm. Center	9-A-10,14-A-7,10-A-11	1,665.00
61342 Duke	7-A-1	24.58
61343 Wood & Lamping	1-A-10	64.80
61344 Wood & Lamping	1-A-10	2,004.18
61345 Duke	1-B-4	493.18
61346 Duke	12-A-3	378.64
61347 Cinti Bell	1-B-4	363.00
61348 Duke	1-B-4	132.18
61349 Cinti Bell	12-A-3	24.64
61350 Duke	12-A-3	491.27
61351 Duke	9-A-13,10-A-7	2,613.15
61352 Duke	10-A-7,12-A-3	15.67
61353 Carpet Depot	1-B-2	1,501.44
61354 Mobilcomm	1-B-2	52.86
61355 LA Supply	5-A-9	50.00
61356 Dorn's	1-A-4	147.86
61357 Staples	1-A-4,1-A-5	269.16
	TOTAL	\$ 599,352.27

REPORTS

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

1. NEWSLETTER - Advised Staff will be working on ideas for the upcoming newsletter.
2. LANDSCAPING ARCHITECT - Advised of upcoming appointment with ALDI to discuss landscaping for Township entry ways, as well as the canon area.

MR. BRYANT questioned if residents will be at the meeting.

MR. ELLIFF advised the first meeting would not include any residents.

MR. BRYANT requested this information be communicated to the Camp Dennison residents.

LT. KETTEMAN - Commended the Road Department for the excellent clearing of Township streets, as well as the Safety Center.

CORRESPONDENCE

M/M ZEPF, 12184 LEBANON - e-mail regarding electric aggregation program.

HEARTHSTONE ESTATES - Signed snow removal agreement.

TERRY SCHILDMEYER - Letter expressing interest in re-appointment to Fire Board.

HAMILTON COUNTY PROBATE COURT - Notice of hearing on application to abandon real estate at 12054 Rich Road.

INTEGRYS - e-mail regarding electric aggregation program.

DUKE ENERGY - Notice regarding electric service contract's expiration.

cc: JACOB COLLIER to KEN BRYANT - Student letter regarding intersection of Mason Montgomery Road and Governors Way.

ELIZABETH STANTON - 2014 Retainer Agreement.

SUSAN BERGER/ELLEN KRUS - Note of appreciation for flowers sent for Wilma Berger.

OHIO JOB & FAMILY SERVICES - Notice of benefit due for Raymond Williams in the amount of \$236.10 for November unemployment claims.

LT. KETTEMAN - Response to e-mail regarding monitoring of Rumpke pick-up times.

HAMILTON COUNTY SHERIFF DEPT - Activity reports.

McKINNEY DEVELOPERS - Signed snow removal agreement for Loveland Trace.

KEN LAWLESS - e-mail regarding Rumpke pick-up on Roan.

JOURNATIC NEWS SERVICE - e-mail regarding updated information on Township.

JUDY HAVILL - e-mail regarding initial meeting with landscaper for cannon area in Camp Dennison.

HAMILTON COUNTY ENGINEER - Executed Joint Agreement for Union Cemetery Road project.

ODOT - Change Order #1 on sidewalk project.

HAMILTON COUNTY REGIONAL PLANNING - Memo regarding annual membership in Planning Partnership.

HAMILTON COUNTY ENGINEER - Letter regarding acceptance of streets in Loveland Trace subdivision.

cc: INTEGRYS to GARY TRICK - e-mail response to e-mail regarding electric aggregation program issue.

MOBILCOM - Proposals for installation of cameras.

GARRETT BROWN - e-mail public records request for minutes of most recent Board meeting.

GARRETT BROWN - e-mail notification that public records request is complete.

ODOT - Change Orders #2 and #3 on sidewalk project.

cc: SUSAN JOHNSTAL to KEN BRYANT - e-mail regarding Township regulations on garbage.

cc: CHIEF HUBER to RAGINA TAYLOR - e-mail response to note of appreciation.

HAMILTON COUNTY AUDITOR - Amended Certificate of Estimated Resources and Amended Certificate of Total Appropriations.

PECK SHAFFER - Letter regarding engagement as Bond Counsel.

ELIZABETH STANTON - Letter regarding engagement as Annexation Counsel.

WOOD & LAMPING - Draft law director employment agreement.

HAMILTON COUNTY RECORDER - Letter regarding filing of zoning resolutions and amendments.

INTEGRYS - Letter regarding Symmes Aggregation program.

OLD BUSINESS

MR. ELLIFF presented the Board with revised preliminary maps for proposed JEDZ districts. The first map reflects only the area within existing CRA boundaries and the second extends coverage beyond these boundaries to include additional businesses.

The Board noted the CRA reference was only a starting point and the district should be extended and be consistent.

Mr. Elliff reported on meeting with the Loveland City Manager who indicates they would be willing to partner with the Township. Mr. Elliff stated he has also spoken with City of Montgomery and Indian Hill.

Mr. Elliff questioned if the Board wished him to proceed with the next step of preparing a contract for discussion with Loveland.

MRS. LEIS stated that Loveland would need to stop annexations before agreeing to partnership.

MR. BRYANT stated the Board should continue to explore other communities in order to provide leverage in any future negotiations.

MRS. LEIS stated she feels there would be benefits with an association with Loveland provided they agree to no annexation.

MR. ELLIFF stated he would like to proceed with the creation of a contract in order to continue discussions.

The Board agreed it would like to see a document containing key points before drafting any agreement.

MR. ELLIFF stated it appears key points would be no annexation, split of 90-10 and a variable amount of the income tax.

MR. BRYANT stated the Board needs to keep in sight the economic development benefits from any JEDZ.

MRS. LEIS stated she would like more information regarding Sycamore Township's rebate of taxes to residents.

MR. ELLIFF advised he would continue discussion with the communities with the understanding that the Board has not given any approval. Mr. Elliff noted that there is an August deadline and there are several items which need to happen before it is placed on the ballot.

MR. ELLIFF advised he has received a proposal from HCDC to conduct a revenue estimate of potential tax revenue.

MRS. LEIS moved to approve an expenditure in the amount of \$3,000.00 for JEDZ income tax revenue study and to enter into an agreement with HCDC for said services. MR. BECK seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. ELLIFF advised another step in the process is an accurate mapping of proposed JEDZ zone, as well as legal descriptions. Mr. Elliff recommended the Board accept the proposal from JMA.

MRS. LEIS moved to approve an expenditure in an amount not to exceed \$6,000.00 for survey and mapping for JEDZ and to enter into an agreement with JMA for said services. MR. BECK 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 establish:

- a. Temporary Appropriation 1-N-1 in the amount of \$20,000.00
- b. Temporary Appropriation 1-G-2 in the amount of \$11,271.00

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 amend Temporary Appropriation 14-A-3D from \$25,000.00 to \$40,614.00. 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 G2014-01

Resolution Appointing Robert P. Malloy
Law Director Pursuant to R.C. 504.15 and
Dispensing with the Second Reading

WHEREAS, pursuant to R.C. 504.15, the Board of Trustees is required to appoint a full-time or part-time Law Director; and

WHEREAS, Robert P. Malloy is by reason of his training and experience competent to act as legal advisor to the Board, the Township Administrator and other Township officers; and

WHEREAS, R.C. 504.151 provides that the Township Law Director may appoint as Assistant Law Director a person who is an associate or partner of or who is employed by the Township Law Director in the private practice of law; and

WHEREAS, certain associates, partners and employees of Robert P. Malloy are qualified and capable of assisting and supporting the legal services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio pursuant to Chapter 504 of the Revised Code, as follows:

- Section 1. Robert P. Malloy is hereby appointed and retained pursuant to R.C. 504.15 as the Township Law Director who shall serve in such capacity on a part-time basis as an independent contractor unless terminated by the Board or Robert P. Malloy upon thirty (30) days notice. Robert P. Malloy shall be compensated for such services at the rate of One Thousand Seven Hundred Dollars (\$1,700.00) per month. Services in excess of ten (10) hours per month shall be paid monthly at the rate of One Hundred Seventy Dollars (\$170.00) per hour, plus authorized expenses, except that legal services rendered for matters involving litigation or administrative appeals shall be compensated at the rate of One Hundred Ninety-Five Dollars (\$195.00) per hour. Such a rate of compensation shall also be applicable for legal services performed by other persons in the law firm of Wood & Lamping who are so designated as Assistant Law Directors by Robert P. Malloy.
- Section 2. The Board hereby authorized and directs that the Township enter into a Law Director Employment Agreement with Robert P. Malloy, which Agreement fully defines the terms and conditions upon which Robert P. Malloy shall serve as Law Director, a copy of which is incorporated herein by reference as Exhibit "A".
- Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.
- Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.
- Section 5. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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 G2014-02

Resolution Retaining Elizabeth M. Stanton and
the Firm of Taft, Stettinius & Hollister, LLP
as Legal Counsel to Advise and Represent
the Township in Annexation Matters
and Dispensing with the Second Reading

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, deems it necessary and advisable to employ legal counsel to advise and represent the Township on legal matters relating to annexation;

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

- Section 1. Elizabeth M. Stanton and the firm of Taft, Stettinius & Hollister, LLP, be retained as Legal Counsel to advise and represent Symmes Township on legal matters relating to annexation.
- Section 2. Representation will be paid for as follows: \$250.00 per hour partner and senior attorney time; \$190.00 per hour associate attorney time; and \$95.00 per hour law clerk or legal assistant time. Rate is fixed for six months but subject to increase thereafter, with a maximum increase of six (6%) percent every six (6) months. Time spent on travel and telephone calls is considered billable time. Court costs and expenses will be paid by the Township. Fees will be paid monthly upon receipt of the bill.
- Section 3. Board will execute a Retainer Agreement reciting these terms, a copy of which is incorporated herein as Exhibit "A".
- Section 4. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.
- Section 5. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.
- Section 6. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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 G2014-03

Resolution Retaining Brenda Wehmer and
the Firm of Peck, Shaffer & Williams, LLP
as Bond Counsel and Dispensing with the Second Reading

WHEREAS, from time to time Symmes Township, Ohio (the "Township") must issue obligations in order to finance the costs of improvements (as defined in Chapters 133, 505 and 5709 of the revised Code); and

WHEREAS, in connection with such issuance, it is necessary to employ the services of a law firm to prepare the proceedings and the required associated documentation.

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

- Section 1. That the firm of Peck, Shaffer & Williams LLP ("PSW") is hereby engaged as Township's "bond counsel".
- Section 2. That the Fiscal Officer, the Township Administrator and the Board President are hereby authorized and directed to execute and deliver the engagement letter of PSW attached and incorporated herein as Exhibit "A".

- Section 3. The Trustees of Symmes Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.
- Section 4. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public, peace, health, safety or welfare of the community for the reason that it is necessary to maintain the continuity of legal services for this Township.
- Section 5. It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

MR. BRYANT seconded the motion.

MR. BRYANT noted that this resolution also includes "economic development" and it needs to be understood that this type of service first needs Board approval.

MR. ELLIFF stated the Board could strike this language from the resolution.

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

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2014-04

Resolution Requesting the County
Auditor to Make Advance Payments of Taxes

WHEREAS, the Ohio revised Code allows a taxing authority to request payment from the County Auditor of funds derived from taxes or other sources to the County Treasurer, which is held on account of a local subdivision; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, wishes the Township Fiscal Officer to make requests for advance payments of property taxes prior to the completion of a tax settlement.

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

- Section 1. That the Auditor and Treasurer of Hamilton County, Ohio, in accordance with Ohio Revised Code Section 321.34, be requested to draw and pay to Symmes Township upon written request of Carol A. Sims, Fiscal Officer, to the County Auditor, funds due in any settlement of 2014 derived from taxes or other sources, payment to the County Treasurer to the account of Symmes Township, and lawfully applicable for purposes of the current fiscal year.
- Section 2. That the Fiscal Officer is hereby directed to forward a certified copy of this Resolution to the County Auditor.

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 G2014-05

Resolution Authorizing Acceptance of Insurance Settlement,
Purchase of New Police Cruiser and Sale to Hamilton County Sheriff

WHEREAS, on or about November 5, 2013 Police Cruiser #96 was struck by another vehicle and damaged beyond repair; and

WHEREAS, it is necessary to replace Police Cruiser #96 for the safe and effective operation of Symmes Township police services; and

WHEREAS, the make and model of Police Cruiser #96 (Ford Crown Victoria) has been discontinued and the damaged vehicle is of value to the Hamilton County Sheriff for replacement parts; and

WHEREAS, the claim has been reviewed by the Township's insurance carrier (OTARMA) and an adjusted amount determined; and

WHEREAS, pursuant to Ohio Revised Code Section 505.101, the Board of Trustees may by resolution enter into a contract, without advertising or bidding, for the sale of materials, equipment or supplies to any department, agency or political subdivision of the state.

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

- Section 1. The purchase of a replacement police vehicle including equipment installation n.t.e. \$27,000 is hereby authorized.
- Section 2. The Township Administrator shall complete any necessary paperwork to complete the purchase of the replacement vehicle.
- Section 3. Police Cruiser #96 salvage ("equipment") shall be sold to the Hamilton County Sheriff's Department for parts only for the amount of \$999.00 and the Administrator shall take all necessary actions to complete the transfer and collect the proceeds.
- Section 4. Accompanied by a certified copy of this resolution, the Township Administrator shall turn over the equipment to the custody of the Hamilton County Sheriff's Department, which shall be responsible for any transportation costs.
- Section 5. The Township Administrator is authorized to sign any other paperwork necessary to complete the sale and transfer of the equipment to the Sheriff's Department.
- Section 6. The foregoing shall constitute the sale of the equipment to the Hamilton County Sheriff's Department by contract pursuant to the Ohio Revised Code, §505.101.
- Section 7. The adjusted settlement amount for the equipment of \$11,271.00 as determined by OTARMA is hereby accepted and the Administrator shall take all necessary actions to collect those proceeds.
- Section 8. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.
- Section 9. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

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 G2014-06

Authorizing and Directing a Temporary Advance
of Twenty Thousand (\$20,000.00) Dollars
from the General Fund to the Lighting Assessment Fund

WHEREAS, advances can be made from a less restricted fund to a more restrictive fund; and

WHEREAS, the Symmes Township Fiscal Officer has advised that the Lighting Assessment Fund (Fund 07) will experience a cash flow situation due to the receipt of revenue from the Hamilton County Auditor's Office; and

WHEREAS, the Symmes Township Fiscal Officer has further advised that the anticipated revenue stream for the Lighting Assessment Fund (Fund 07) is sufficient to meet the budgeted expenditures for 2014 and for the repayment of this advance; and

WHEREAS, the Symmes Township Fiscal Officer is requesting a temporary advance of Twenty Thousand (\$20,000.00) Dollars from the General Fund (Fund 01) to the Lighting Assessment Fund (Fund 07) until such time as the anticipated revenue is received from the Hamilton County Auditor's Office in 2014.

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

- Section 1. The Symmes Township Board of Trustees hereby authorizes a temporary advance of Twenty Thousand (\$20,000.00) Dollars from the General Fund (Fund 01) to the Lighting Assessment Fund (Fund 07) with an anticipated estimated repayment date of May, 2014.
- Section 2. The transfer of funds from a General Fund (Fund 01) to any other fund of the Township is authorized pursuant to Section 5705.14(E) of the Ohio Revised Code and therefore this Resolution may be adopted upon a single reading and shall become effective upon the date of its adoption.

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 authorize the Township Administrator to accept a grant for pedestrian crossing signal at Home of the Brave Park, to sign any necessary paperwork and to approve an expenditure in the amount of \$4,500.00 for grant match. 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 accept Loveland Trace Court, Loveland Trace subdivision as Township street per the December 12, 2013 request of the Hamilton County Engineer. Mr. Bryant seconded the motion.

MS. SIMS advised the Board there is an outstanding balance of \$1,100.00 for snow removal and requested the Board consider amending the motion to request payment prior to acceptance.

MR. MALLOY stated he had a concern regarding accepting the street pending payment and suggested the Board table this action.

MR. BRYANT stated he would like to find a way to accept this street as soon as possible.

MR. MALLOY stated the Board could make this a condition, but wanted to make the Board

aware of his concern.

MR. ELLIFF recommended the Board accept the street with the understanding that acceptance does not take place until payment is received. Mr. Elliff stated he could delay in sending the letter to the County until the payment is made.

MR. MALLOY stated he would be comfortable with the condition.

MRS. LEIS moved to amend the motion that the acceptance of Loveland Trace Court is conditional upon receipt of payment. Mr. Bryant seconded the motion and the roll call vote for the amendment was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

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

MRS. LEIS moved to approve the dates and times for special events and cleanup days as provided in the Township Administrator's memo dated January 3, 2014. 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 approve a one year supplemental contract by the Milford Fire Department for the Camp Dennison area at \$500.00 per month effective January 1, 2014. 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 approve:

- a. Expenditure in the amount of \$1,862.00 for 2014 annual membership to the Hamilton County Planning Partnership.
- b. Expenditure in the amount of \$1,400.00 for lake maintenance at Home of the Brave Park and authorization for Administrator to accept proposal.
- c. Expenditure in an amount not to exceed \$7,500.00 for 2014 spring newsletter.
- d. Expenditure in an amount not to exceed \$22,000.00 for 2014 special events.
- e. Expenditure in an amount not to exceed \$17,000.00 for 2014 medical supplies
- f. Expenditure in an amount not to exceed \$2,160.00 for 2014 EMS aircards
- g. Expenditure in an amount not to exceed \$750.00 for 2014 EMS cell phones
- h. Expenditure in an amount not to exceed \$70,000.00 for the purchase of road salt.
- i. Expenditure in an amount not to exceed \$5,000.00 for purchase of liquid de-icing materials.
- j. Expenditure in an amount not to exceed \$5,000.00 for street sign replacement.

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

EXECUTIVE SESSION

MRS. LEIS moved that the Board enter Executive Session to discuss an appointment of a public employee. 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 8:55 p.m.

The meeting reconvened from Executive Session at 9:23 p.m.

No further action was taken and the meeting adjourned at 9:23 p.m.