

TURTLECREEK TOWNSHIP BOARD OF TRUSTEES

ON

JULY 30

13

The regular scheduled meeting of the Board of Trustees of Turtlecreek Township was held on July 30, 2013 at 8:00 a.m. at with the following person present:

TRUSTEES: Jim VanDeGrift, Dan Jones and Jonathan D. Sams.

CHIEF FISCAL OFFICER: Tammy Boggs

GUEST: Steve Flint, Mike Jameson, Larry Wilson, Michael Shaffer, JonPaul Campbell, Tom Ariss, Jennifer B. Niehaus, Bruce McGary, Jackie Davis, Jerry Spurling, and Bill Thornton.

The meeting opened with Mr. VanDeGrift leading the Pledge of Allegiance.

Mr. VanDeGrift, at 8:00 a.m., called for the quasi-judicial administrative hearing regarding the Freiberg property. No one appeared for the hearing. A second call will be made later in the meeting.

The minutes of the previous meeting were received by the Trustees prior to the meeting for review. Since there were no additions or corrections, Mr. Jones moved for acceptance, seconded by Mr. Sams. All were in favor and the minutes were approved as written.

Mr. VanDeGrift made a second call for the quasi-judicial administrative hearing regarding the Freiberg property. Mr. VanDeGrift stated an appeal hearing of Resolution 13-06-04 adopted June 25, 2013 finding it reasonably necessary to remove certain buildings or other structures located on real property located at 2237 Hart Road in Turtlecreek Township due to their condition being insecure, unsafe, and structurally defective, and of the Board's intent to remove such buildings or other structures and assess any out of pocket costs related thereto after giving notice and affording the property owner and lien holders the opportunity to appeal such declaration, findings and intention, and setting a quasi-judicial administrative hearing for such an appeal. For the record, Mr. Bruce McGary, Warren County Prosecutor, requested that the Fiscal Officer, Ms. Boggs read the following into the record: written notice was mailed to the owner of property located at 2237 Hart Road, here in Turtlecreek Township, Warren County, Ohio, the written notice included the following, a letter to the property owner, a copy of Resolution 13-06-04, a letter dated June 24, 2013 from Mr. Jerry Spurling, Warren County Chief Building Official, and a copy of the warranty deed. The written notice was mailed to Mr. Raymond Freiberg, c/o Kenisngton Place, 751 Kensington Street, Middletown, Ohio, 45044 on July 11, 2013. Verification of delivery on July 12, 2013 was received from the United States Postal Service. Written notice was sent on June 25, 2013 to Mr. Nathan M. Little, Esq., Combs, Schaeffer & Atkins, 1081 N. University Blvd., Suite B, Middletown, Ohio 45042 with all the attachments sent to Mr. Freiberg. Delivery was made on June 28, 2013 by the United States Postal Service. Written notice was sent on June 25, 2013 to Bank One Cincinnati, NA, 8044 Montgomery Road, Ste 450, Cincinnati, Ohio, 45236 which contained the following information: letter to mortgage holder, Resolution 13-06-04, and letter from Warren County Building Official. Delivery was made on June 26, 2013 by the United States Postal Service. Written notice was sent to State of Ohio, Department of Taxation, 30 E. Broad Street, 22nd Floor, Columbus, Ohio 43215 which contained the following information: letter to lien holder, Resolution 13-06-04, precipes from Warren County Common Pleas Court, and letter from Warren County Building Official. Delivery was made on July 1, 2013 by the United States Postal Service.

This is the hearing wherein the owner of the property is being afforded a reasonable opportunity to be heard and exercise his due process rights by appealing this Board of Trustee's findings, conclusion and decision memorialized in Resolution No. 13-06-04.

Mr. VanDeGrift stated: LET THE RECORD REFLECT THAT AFTER NOTICE WAS SERVED, NO OWNER, LIENHOLDER OR ATTORNEY FOR THE OWNER OR A LIENHOLDER APPEARED TO PROSECUTE AN APPEAL, NOR HAS THE BOARD OF TRUSTEES RECEIVED ANY COMMUNICATIONS REQUESTING A CONTINUANCE, THEREFORE, I WILL ENTERTAIN A MOTION TO CLOSE AND DISMISS THIS HEARING. Mr. Jones made a motion to close and dismiss this hearing. Mr. Sams seconded the motion. All voiced a:"YEA" vote and the hearing was closed and dismissed.

Ms. Boggs informed the Trustees that the sonic wall for the township will expire and that the service needs to be updated at a cost of \$643.00. Mr. Sams made a motion to update the sonic wall at a cost of \$643.00 payable to Ferris Electronics. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 13-07-05**. (A copy of the resolution is included in the minutes).

Mr. William Thornton, Council on Aging of Southwestern Ohio, presented the Trustees with the 2012 Annual Report.

Ms. Jackie Davis and Mr. Jim Bowen discussed the fund raiser that the EMS/Fire Auxiliary is providing for the township residents. The Trustees had questions regarding the information that the photography business was providing to the township residents. Mr. Bowen stated that they will not contact residents after dark and will inform them that this is a fund raiser for the auxiliary. The Trustees gave Mr. Bowen the okay to proceed with the project.

Mr. Mike Shaffer informed the Trustees that Shaker Run Phase 2 has three (3) lots that do not match the map and table. The regional planning commission will use the map as the official count for lots.

Mr. Jones requested that Mr. Wilson complete the daily pre-trip logs for all vehicles that are used by the Road Department. Mr. Jones also requested that we verify with other townships how they schedule their meeting rooms and parks. We will need to look at our current policy to verify if it is in need of updating.

Mr. Sams stated that he has received some inquiries regarding the zoning on property located near Wal-Mart. The township may want to look at the current zoning regarding this area.

Mr. VanDeGrift stated that he attended a meeting regarding the JEDD Board for the I71/123 project. The city will start collection income tax on the JEDD area as of January 1, 2014.

Department Reports:

Fire/EMS: Steve Flint, Fire Chief and Mike Jameson, Assistant Fire Chief reported fire and EMS incident information. Chief Flint requested the approval for Mr. Brian Elleman to attend EMS instructor class at the Warren County Career Center at a cost of \$675.00. Mr. Jones made a motion to pay for the EMS instructor class for Mr. Elleman. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 13-07-02**. (A copy of the resolution is included in the minutes). Chief Flint requested the approval of four (4) employees to attend trench training class at a cost of \$300.00 each. Mr. Sams made a motion to pay for four (4) employees to attend trench training class at the Warren County Career Center at a cost of \$300.00 each. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 13-07-03**. (A copy of the resolution is included in the minutes). Chief Flint informed the Trustees that the air conditioning in the Administrative Building needed to be repair at a cost of \$400.00. Mr. Sams made a motion for the repair. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed. Assistant Chief Jameson stated that the Road Departments dump truck was in need of new tires. The cost to replace the tires (4) will be \$2,141.88 for Walt Luti Tires. Mr. Sams made a motion to replace the tires. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 13-07-04**. (A copy of the resolution is included in the minutes).

Road and Bridge: Larry Wilson, Road Supervisor, presented his weekly department activity reports completed since the previous meeting. Mr. Wilson informed the Trustees that the radios will need to be replaced in the vehicles as of December 31, 2013. Mr. Wilson is pricing the cost of two way phones to see if this would be a better option for the Road Department. This matter will be continued until the next meeting. Mr. Wilson updated the Trustees regarding the storm sewer issue on Circle Drive and that he will be jetting the pipe. Mr. Wilson will report at the next meeting the outcome of jetting the pipe.

Correspondence – In:

- *Email from Warren County Emergency Management meeting on Wednesday July 24, 2013 at 11:30 p.m.
- *Email from Council on Aging of Southwestern Ohio to present annual report
- *Email from Dean Morrissey regarding Otterbein
- *Letter from Ohio GFOA regarding annual conference
- *Letter from Fran Gates regarding group program
- *Resolution for Warren County Commissioners regarding approval of text amendments
- *Letter from Warren County Regional Planning regarding project pre applications for Issue 2 Money
- *Letter from Warren County Soil and Water regarding stormwater basins
- *Letter from Warren County Board of Elections regarding building use for election
- *Resolution from Warren County Commissioners regarding public hearing to consider Variance and appeal of conditions for George Kerr
- *Resolution from Warren County Commissioners regarding approval modifications to Text amendments to Warren County Rural Zoning Code
- *Letter from Ohio Insurance Services regarding healthcare reform 2014
- *Letter from VSP plan renewal rates

Correspondence – Out:

- *Letter to Ms Kelly Davis regarding park reservation
- *Letter to Mr. Junior Burlile regarding fence line issues
- *Letter to Ms. Dorian Patton from Fire Department regarding dismissal
- *Letter to Mr. Freiberg regarding hearing on July 30 2013
- *Letter to Lebanon Correctional Institution from EMS department regarding quarterly Charges
- *Letter to Warren Correctional Institution from EMS department regarding quarterly Charges
- *Letter to Mr. Larry Hollingshead, Mr. Homer Hendrickson, Mr. Spencer Cropper, Mr. Jon Sanchez, Ms. Ellen Hall, Mr. Mike Shaffer, Mr. John McMinn regarding Turtlecreek Township's steering committee meeting.

The Fiscal Officer presented the bills which were due and the following checks were approved and signed. Check Nos.19589 through 19681, (copy to follow) and Voucher 79-2013, 80-2013, 83-2013.

The Fiscal Office reported the following income from: Warren County Auditor, N. Nelson - \$2,506.25 (July 2013 Cents per Gallon), \$6,490.52 (June 2013 \$5 Permissive Auto Tax), \$1,496.25 (June 2013 New \$5 Permissive Auto), \$1,838.54 (June 2013 Motor Vehicle License Tax), \$4,468.23 (July 2013 Local Govt), Molina – \$169.96 (Life Squad Services), Middletown Works - \$90.57 (Life Squad Services), Blue Cross Blue Shield - \$91.00 (Life Squad Services), Aetna - \$274.40 (Life Squad Services), United of Omaha Life - \$573.11 (Life Squad Services), United World Life Insurance - \$90.85 (Life Squad Services), K. Durgin - \$30.00 (Life Squad Services), Mutual of Omaha Insurance - \$81.14 (Life Squad Services), United American Insurance - \$90.71 (Life Squad Services), State Farm Auto Insurance - \$90.71 (Life Squad Services), Bankers Fidelity - \$92.13 (Life Squad Services), Philadelphia American - \$217.71 (Life Squad Services), S. Perry - \$30.00 (Life Squad Services), Allstate - \$578.00 (Life Squad Services), TriCare Wisconsin - \$466.76 (Life Squad Services), Otterbein – Lebanon - \$90.71 (Life Squad Services), OBWC - \$14,200.40 (Refund on 2011 Workers Compensation), Elizabeth Butts - \$25.00 (CPR Class), Cynthia Copas - \$25.00 (CPR Class), Lori Gaiser - \$25.00 (CPR Class), Anna Butts - \$25.00 (CPR Class), Lebanon Citizens National Bank - \$14,062.99 (Various Interest Receipts), D. Becraft - \$100.00 (EMS Donation).

There being no further business Mr. Jones made a motion to adjourn the meeting. The motion was seconded by Mr. Sams. All voiced a "YEA" vote and the motion was passed.

The next regular meeting has been scheduled for August 12, 2013 at 7:00 p.m.

Signed: _____ President

Attest: _____ Chief Fiscal Officer

**RESOLUTION 13-07-02
TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

RESOLUTION TO PAY FOR EMS INSTRUCTOR CLASS

WHEREAS, it is the intent of Turtlecreek Township Board of Trustees to pay for the EMS instructor class for Brian Elleman at the Warren County Career Center at a cost of \$675.00. Source of the funds will be the EMS/Fire Fund 2193-290-599-0000 (Other – Other Expenses).

THEREFORE, by motion of Mr. Jones and seconded by Mr. VanDeGrift the above resolution was approved. All voiced a “YEA” vote and the resolution passed.

Adopted this 30th day of July, 2013.

Signed: _____ “YEA”

_____ “YEA”

_____ “YEA”

Attest: _____ Chief Fiscal Officer

**RESOLUTION 13-07-03
TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

**RESOLUTION TO PAY FOR TRENCH TRAINING CLASS
FOR FOUR (4) EMPLOYEES**

WHEREAS, it is the intent of Turtlecreek Township Board of Trustees to pay for Trench Training Class for four (4) employees at the Warren County Career Center at a cost of \$300.00 each. Source of the funds will be the EMS/Fire Fund 2193-290-599-0000 (Other – Other Expenses).

THEREFORE, by motion of Mr. Sams and seconded by Mr. Jones the above resolution was approved. All voiced a “YEA” vote and the resolution passed.

Adopted this 30th day of July, 2013.

Signed: _____ “YEA”

_____ “YEA”

_____ “YEA”

Attest: _____ Chief Fiscal Officer

**RESOLUTION 13-07-04
TURTLECREEK TOWNSHP
WARREN COUNTY, OHIO**

BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall purchase four (4) tires for the dump truck. Source of the funds will be from the Road Fund #2031-330-323-0000 (Repairs and Maintenance). Resolution was initiated by Mr. Sams and seconded by Mr. Jones. All voiced a "YEA" vote and the resolution passed.

Adopted this 30th day of July, 2013

Signed: _____ "YEA"

_____ "YEA"

_____ "YEA"

Attest: _____ Chief Fiscal Officer

**RESOLUTION 13-07-05
TURTLECREEK TOWNSHP
WARREN COUNTY, OHIO**

BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall update the sonic wall for the township building at a cost of \$643.00 from Ferris Electronics. Source of the funds will be from the General Fund #1000-110-319-0000 in the amount of \$643.00 (Other – Professional and Technical Services). Resolution was initiated by Mr. Sams and seconded by Mr. Jones. All voiced a "YEA" vote and the resolution passed.

Adopted this 30th day of July, 2013.

Signed: _____ "YEA"

_____ "YEA"

_____ "YEA"

Attest: _____ Chief Fiscal Officer