

TURTLECREEK TOWNSHIP BOARD OF TRUSTEES

ON

APRIL 14

14

The regular scheduled meeting of the Board of Trustees of Turtlecreek Township was held on April 14, 2014 at 7:00 p.m. with the following person present:

TRUSTEES: Dan Jones, Jonathan D. Sams, and Jim VanDeGrift
CHIEF FISCAL OFFICER: Tammy Boggs
GUEST: Steve Flint, Michael Jameson, Larry Wilson, and Michael Shaffer

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

The minutes of the previous meeting of March 25, 2014 and special meeting of March 27, 2014 were received by the Trustees prior to the meeting for review. Since there were no additions or corrections, Mr. VanDeGrift moved for acceptance, seconded by Mr. Jones. All were in favor and the minutes were approved as written.

The Fiscal Officer notified the Trustees that the financial reports for the previous month were available for their review. By motion of Mr. VanDeGrift and seconded by Mr. Jones the following reports were approved. Cash Summary by Fund (month to date and year to date), Fund Status Report, and Bank Reconciliation for the previous month.

Ms. Boggs presented information to the Trustees regarding the requested street lights for State Route 42/Liberty Keuter Road/Shoemaker Road and Shaker Run. The approximate cost to install the light on State Route 42 would be \$2,294.58 with an annual cost of \$208.04. Ms. Boggs does not have the exact figures for Shaker Run yet but should be comparable to State Route 42. The Trustees discussed the street lights and at this time will not make a motion to install the requested lights.

Ms. Boggs informed the Trustees that a bill for insurance premium for the I71 JEDD Broad has been received. The total for the premium is \$2,545.90. The township is requested to pay half of this bill and The City of Lebanon will pay the other half. This amount will be reimbursed once the JEDD has the funds available. Mr. VanDeGrift made a motion to pay \$1,272.95 to Bricker & Eckler for the insurance premium. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed.

Warren County Regional Planning provided the township with the record plat for the Estates of Keever Creek Section 1 Phase 1E. The Trustees reviewed the plat and have no concerns or comments at this time. A letter will be sent stating this information to Warren County Regional Planning.

The township received an engagement letter from Bricker & Eckler regarding the Otterbein property. The engagement letter states that Otterbein will pay Bricker's fees. Mr. VanDeGrift made a motion to approve the engagement letter and authorized Mr. Jones to sign as the Board President. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed.

A discussion was held regarding the motion to vacate a portion of Mulford Road. Mr. VanDeGrift made a motion to vacate the right-of-way easement on the part of Mulford Road as to the general route and termini particularly described in Attachment No. 1 and as illustrated in Attachment 2. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 14-04-01**. (A copy of the resolution is included in the minutes).

Mr. Sams informed the Trustees that he attended the viewing of Mabrey Road vacate.

Mr. VanDeGrift informed the Trustees that Mr. Tunison called him regarding the sewers for the JEDD at 123&71. The sewers will run down the roadway to Cedar Trace.

Mr. VanDeGrift made a motion that the township would pay Affordable Paving 30% (1,350.00) of the bill for the paving on Turtlecreek Union Road. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed **with Resolution 14-04-02**. (A copy of the resolution is included in the minutes).

Mr. Jones informed the Trustees that he had received a call regarding the boulevard in Meadowbrook Subdivision requesting who was responsible to maintain the area. The Trustees discussed this issue and determined that it is not the township's responsible to maintain this area.

Department Reports:

Fire/EMS: Steve Flint, Fire Chief and Mike Jameson, Assistant Fire Chief reported fire and EMS incident information. Chief Flint informed the Trustees that Ms. Kim Koncz was hired as a volunteer EMT as of April 7, 2014. The Auxiliary department requested the approval of the Trustees for the photo fund raiser for this year. The Trustees approved the fund raiser for the fall of 2014. Chief Flint informed the Trustees that the hurst tool sold on GovDeals for \$740.00. Chief Flint requested approval that two (2) of the old EMS cots be placed on GovDeals. Mr. Sams made a motion to place the cots on GovDeals. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed. Chief Flint also discussed with the Trustees the donation of twelve (12) out of date SCBA's. The Trustees authorized the donation of the SCBA's. Assistant Chief Jameson informed the Trustees that the helmets previously requested for the technical rescue team are not available. The new helmets will cost approximately \$1,242.00. Assistant Chief Jameson will let Ms. Boggs know the supplier that the helmets will be purchase through. Mr. VanDeGrift made a motion to purchase the helmets. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed.

Road and Bridge: Larry Wilson, Road Supervisor, presented his weekly department activity reports completed since the previous meeting. Mr. Wilson informed the Trustees that he has walk throughs scheduled for the Trails of Shaker Run 5A on April 15, 2014 at 10:00 a.m. and Shaker Run Section One Phase C for April 17, 2014 at 10:00 a.m. Mr. Wilson discussed with the Trustees that purchase of canopies for the tractors. The cost of the canopies are \$195.00 each. Mr. Wilson would like to purchase two (2) from Eger Products on the LCNB Visa card. Mr. VanDeGrift made a motion to purchase the canopies. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed. Mr. Wilson was requested by the Trustees to review the township roads and decide if additional road work will be completed this year. Mr. Wilson will discuss the Liberty Keuter Road Issue 2 money with Warren County Engineer's Office. Mr. Wilson will follow up on the back flow testing required for the park and the township building. Mr. Wilson informed the Trustees of an issue with a driveway culvert on Keever Road. A new culvert was installed and floated up with the rain on Monday night. Mr. Wilson discussed with Warren County Engineer's Office that they will issue the permit with the requirements for installation of the culverts and Mr. Wilson will follow up with the progress. Mr. Wilson will then notify the engineer's office that the culvert has been placed and final inspection is required. This will be the procedure for all culvert replacement in the township in the future. Mr. Wilson discussed placing "NO PARKING" signs in the Trails of Shaker Run. Ms. Boggs informed Mr. Wilson that the signs cannot be placed in the township without following the proper procedures. Public notice must be given and then a resolution passed.

Correspondence – In:

- *Letter from Duke Energy regarding electric supplier
- *Letter from Habegger regarding blanket certificate
- *Letter from Ohio BWC regarding merger of Frank Gates and CareWorks
- *Letter from Frank Gates regarding merger with CareWorks
- *Letter from OPERS to place poster regarding retirement
- *Letter from Ohio Treasurer regarding dues and newsletter
- *Notice of annual prayer breakfast on Thursday, May 1
- *Letter from Warren County Engineer's Office regarding walk thru on Trails of Shaker Run 5 A on April 15 at 10:00 a.m.
- *Letter From Warren County Engineer's office regarding walk thru on Shaker Run Section One, Phase C on April 17 at 10:00 a.m.
- *Public Records request from James D. Smith on EMS run
- *Email from Ohio Deferred Compensation with newsletter
- *Berry Insurance Group newsletter
- *Email from Senator Shannon Jones regarding leadership update
- *Email from Cincinnati Bell Wireless regarding agreement to sell to Verizon Wireless
- *Email from StarPlus regarding updating the bank exclusion information
- *Resolution from Warren County Board of Commissioners regarding approval of Amended #2 Subrecipient agreement between Warren County and Turtlecreek Township Related to Moving Ohio Forward Demolition Grant Program
- *Letter from Warren County Auditor regarding refund on real estate assessment fund Fees
- *Email from Senator Shannon Jones on leadership update
- *Letter from Warren County Zoning regarding zoning violation on 2953 Harvey Road
- *Letter from Warren County Zoning regarding zoning violation on 1937 Heritage Run Dr
- *Email from MBI regarding liability limits for Anthem
- *Letter from Warren County Combined Health District regarding quarterly report
- *Letter from OhioDAS regarding natural gas purchasing
- *Letter from Warren County Board of Commissioners regarding legal notice – zoning on

- *April 15, 2014 to consider amending Article 3, Chapters 1, 2, 3, and 4 of the zoning code
- *Resolution from Warren County Board of Commissioners set public hearing to consider Text amendments to the Warren County Zoning Code Article 3, Chapters 1, 2, 3, and 4

Correspondence – Out:

- *Letter to sign up for Duke Energy Retail for Fire house
- *Faxed blanket certificate
- *Letter to James D. Smith with public records request information
- *Email from auditor’s office regarding auditor fees refund
- *Letter to Mr. Hollingshead regarding donation
- *Letter to Warren County Regional Planning regarding Burns Subdivision of a replat
- *Letter to Warren County Regional Planning regarding appointment to quarterly board Of lots 12 & 13 of Apple Ridge Acres

The Fiscal Officer presented the bills which were due and the following checks were approved and signed. Check No’s .20847 through 20973 (copy to follow) and vouchers 31-2014-33-2014, 37-2014.

The Fiscal Office reported the following income from: Warren County Auditor, N. Nelson - \$3,486.92 (April 2014 Local Government), \$1,087,797.54 (Feb 2014 Semi Annual Settlement), \$15,618.00 (Feb 2014 Semi Annual Estate), \$50,206.46 (Feb 2014 Semi Annual Estate), \$1,634.67 (Feb 14 Motor Vehicle Tax), \$6,899.75 (Feb 14 \$5 Permissive Auto Tax), \$1,592.25 (Feb 14 New \$5 Permissive Auto Tax), \$288.68 (Feb 14 Semi Annual Apport.), \$7,543.29 (March 14 Gas Excise Tax), \$21,183.46 (Return of Real Estate Fees), \$2,943.41 (Feb 14 Semi Annual Home Re), \$750.65 (2013 MV License Tax Excess IRP), \$21,183.46 (Refund Auditors Fees), TriCare – \$112.29 (Life Squad Services), Middletown Works - \$221.07 (Life Squad Services), D. Baldwin - \$20.00 (Life Squad Services), L. Lucas - \$489.76 (Life Squad Service), National Mutual Insurance - \$913.54 (Life Squad Service), Anthem Community - \$1,370.73 (Life Squad Service), United HealthCare - \$4,805.74 (Life Squad Service), Cigna - \$89.81 (Life Squad Service), CareSource - \$679.84 (Life Squad Service), Community Insurance - \$561.09(Life Squad Service), CGS - \$10,246.89 (Life Squad Service), Medical Mutual - \$1,123.11 (Life Squad Service), Aetna - \$794.83 (Life Squad Service), Golden Rule Insurance - \$500.25 (Life Squad Service), HHP Ohio - \$455.94 (Life Squad Service), HIC - \$484.43 (Life Squad Service), WC - \$595.58 (Life Squad Service), Lebanon Citizens National Bank - \$5,420.50 (Various Interest Receipts), Kent Hurtt - \$36.40 (Reimbursement for Parka), Bruce Osborne - \$72.80 (Reimbursement for Parka), Tammy Boggs - \$6.00 (Reimbursement for T-shirt), B & G Used Oil Removal - \$250.00 (Used Oil), R. Meadows - \$740.00 (Sale of Hurst Tool), StarOhio - \$.46 (March 14 Interest), StarPlus - \$509.35 (March 14 Interest), L. Hollingshead - \$1,000.00 (Donation).

There begin no further business Mr. Sams made a motion to adjourn the meeting. The motion was seconded by Mr. VanDeGrift. All voiced a “YEA” vote and the motion was passed.

The next regular meeting has been scheduled for April 29, 2014 at 8:00 a.m.

Signed: _____ President

Attest: _____ Chief Fiscal Officer

**TURTLECREEK TOWNSHIP BOARD OF TRUSTEES
WARREN COUNTY, OHIO**

Resolution Number: 14-04-01

Date of Resolution: April 14, 2014

TOPIC OF RESOLUTION: BOARD RESOLUTION TO PETITION THE WARREN COUNTY BOARD OF COMMISSIONERS TO VACATE THE RIGHT-OF-WAY EASEMENT FOR A PART OF MULFORD ROAD (TOWNSHIP ROAD NO. 96)

RESOLUTION

WHEREAS, PURSUANT TO SECTION 5553.02 OF THE OHIO REVISED CODE, A BOARD OF COUNTY COMMISSIONERS MAY LOCATE, ESTABLISH, ALTER, STRAIGHTEN, VACATE, OR CHANGE THE DIRECTION OF ALL ROADS WITHIN THE COUNTY THAT ARE NOT STATE HIGHWAYS AS PROVIDED IN SECTION 5553.03 TO 5553.16 OF THE OHIO REVISED CODE; AND

WHEREAS, A RIGHT-OF-WAY EASEMENT FOR MULFORD ROAD (TOWNSHIP ROAD NO. 96) BEGINNING AT GREENTREE ROAD TO STATE ROUTE 63 (FKA HAMILTON-LEBANON ROAD) WAS ESTABLISHED IN APRIL OF 1879 AS RECORDED IN SURVEY RECORD 2, PAGE 346, WITH A MINIMUM RIGHT-OF-WAY OF FORTY (40) FEET AND A MAXIMUM OF SIXTY (60) FEET; AND,

WHEREAS, AN UNIMPROVED PORTION OF MULFORD ROAD (TOWNSHIP ROAD NO. 96) FROM STATE ROUTE 63 ACROSS THE PROPERTY OWNED CURRENTLY BY MYRON BOWLING AUCTIONEERS, INC. (COMMONLY REFERRED TO AS THE STANLEY FARM) WAS ABANDONED AND THEREAFTER VACATED BY THE BOARD OF COUNTY COMMISSIONERS IN RESOLUTION 89-498, DATED JUNE 6, 1989; AND,

WHEREAS, PURSUANT TO SECTION 5553.045 OF THE OHIO REVISED CODE, A BOARD OF TOWNSHIP TRUSTEES MAY PETITION A BOARD OF COUNTY COMMISSIONERS TO VACATE A TOWNSHIP ROAD OR A PORTION OF A TOWNSHIP ROAD BY PASSING A RESOLUTION THAT REQUESTS THE VACATION OF THE ROAD OR PORTION, AND THAT INCLUDES A DESCRIPTION OF THE GENERAL ROUTE AND TERMINI OF THE ROAD OR PORTION TO BE VACATED – THEN THE TOWNSHIP CLERK [FISCAL OFFICER] FILING A COPY OF THE RESOLUTION WITH THE BOARD OF COUNTY COMMISSIONERS AND CERTIFYING A COPY TO THE COUNTY ENGINEER WHO WITHIN 30 DAYS OF RECEIPT OF SUCH RESOLUTION IS REQUIRED TO ISSUE TO THE BOARD OF COUNTY COMMISSIONERS A WRITTEN REPORT SIMILAR IN CONTENT TO REPORTS REQUIRED UNDER SECTION 5553.06 OF THE REVISED CODE; AND,

WHEREAS, PURSUANT TO SECTION 5553.045 OF THE OHIO REVISED CODE, THIS BOARD HEREBY PETITIONS THE BOARD OF COUNTY COMMISSIONERS TO VACATE THE RIGHT-OF-WAY EASEMENT ON A PART OF MULFORD ROAD (TOWNSHIP ROAD NO. 96) AS TO THE GENERAL ROUTE AND TERMINI PARTICULARLY DESCRIBED IN ATTACHMENT NO. 1 AND AS ILLUSTRATED IN ATTACHMENT NO. 2, AS SUCH PART OF MULFORD ROAD IS NO LONGER NEEDED FOR PUBLIC CONVENIENCE AND WELFARE, TO-WIT: IT HAS NEVER BEEN IMPROVED AND HAS ALWAYS BEEN USED AND MAINTAINED BY THE OWNERS OF THE TWO ABUTTING PARCELS THAT HOLD TITLE TO THE CENTER OF MULFORD ROAD ALONG THE SAID GENERAL ROUTE AND TERMINI; AND, THERE IS NO NEED FOR THIS PART OF MULFORD ROAD TO BE IMPROVED AND MAINTAINED IN THE FUTURE AS MULFORD ROAD IS A DEAD END AT THIS LOCATION AND ALWAYS WILL BE DUE TO A SOUTHERN UNIMPROVED PORTION HAVING PREVIOUSLY BEEN VACATED BY THE BOARD OF COUNTY COMMISSIONERS AS STATED ABOVE; AND,

WHEREAS, THE ABUTTING LAND OWNERS TO THE SAID GENERAL ROUTE AND TERMINI ARE IDENTIFIED ON THE ABUTTING LANDOWNERS CHART ATTACHED HERETO AND MADE A PART HEREOF, AND SHOULD BE GIVEN NOTICE OF SUCH PROCEEDINGS REGARDLESS OF WHETHER THEY HAVE ANY INTEREST IN PROPERTY EFFECTED BY SUCH PROCEEDINGS.

NOW THEREFORE BE IT RESOLVED, THIS BOARD HEREBY PETITIONS THE BOARD OF COUNTY COMMISSIONERS TO VACATE THE RIGHT-OF-WAY EASEMENT ON THE PART OF MULFORD ROAD (TOWNSHIP ROAD NO. 96) AS TO THE GENERAL ROUTE AND TERMINI PARTICULARLY DESCRIBED IN ATTACHMENT NO. 1 AND AS ILLUSTRATED IN ATTACHMENT NO. 2, BY ADOPTING THIS RESOLUTION MAKING SUCH REQUEST; AND

BE IT FURTHER RESOLVED, THAT THE FISCAL OFFICER SHALL FILE A COPY OF THIS RESOLUTION WITH ATTACHED DESCRIPTION OF THE GENERAL ROUTE AND TERMINI WITH THE BOARD OF COUNTY COMMISSIONERS WITHOUT FURTHER DELAY, AND FURTHER CERTIFY ANOTHER COPY OF THIS RESOLUTION TO THE COUNTY ENGINEER; AND,

BE IT FURTHER RESOLVED, THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING OR RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPENING MEETING, AND ALL DELIBERATIONS OF THIS BOARD THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH SECTION 121.22 OF THE OHIO REVISED CODE.

MR. VANDEGRIFT MOVED FOR THE ADOPTION OF THE FOREGOING RESOLUTION, BEING SECONDED BY MR. SAMS. UPON CALL OF THE ROLL, THE FOLLOWING VOTE RESULTED:

MR. JONES - "YEA"
MR. VANDEGRIFT - "YEA"
MR. SAMS - "YEA"

RESOLUTION ADOPTED THIS 14TH DAY OF APRIL, 2014.

TURTLECREEK TOWNSHIP

TAMMY BOGGS, FISCAL OFFICER

**RESOLUTION 14-04-02
TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

BE IT RESOLVED, by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall pay 30% (\$1,350.00) of the paving cost on Turtlecreek Union Road to Affordable Paving. Resolution was initiated by Mr. VanDeGrift and seconded by Mr. Sams. All voiced a "YEA" vote and the resolution was passed.

Adopted this 14th day of April, 2014.

Signed: _____ "YEA"

_____ "YEA"

_____ "YEA"

Attest: _____ Chief Fiscal Officer