

The regular meeting of the Green Township Board of Trustees held on February 08, 2010 was called to order at 5:30 p.m. with the Pledge of Allegiance.

Roll Call: Chairman Linnenberg, present; Trustee Upton, excused; Trustee Winkler, present; Fiscal Officer Straus, present.

Trustee Winkler moved to approve the minutes for the regular meeting of January 25, 2010. Chairman Linnenberg seconded the motion. All voted Aye.

RESOLUTION #10-0208-A

Trustee Winkler moved to pass a resolution accepting and approving the financial reports as submitted. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-B

Chairman Linnenberg moved to pass a resolution to enter into an agreement with Wurzelbacher Staging and Construction Inc. for the 2010 Summer Concert Series and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-C

Trustee Winkler moved to pass a resolution to enter into an agreement with Queen City HiRailers to provide a train display at Nathanael Greene Lodge on December 3, 2010 and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-D

Trustee Winkler moved to pass a resolution to reappoint Adam Goetzman as the Green Township representative to the Aviation Noise Abatement Committee. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-E

Chairman Linnenberg moved to pass a resolution to enter into an agreement with Rossi's Famous Fireworks for a fireworks display at Kuliga Park on July 3, 2010 and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-F

Trustee Winkler moved to pass a resolution to enter into an agreement with Steven E. Fritsch for entertainment from the Rusty Griswolds for a concert on August 14, 2010 at Kuliga Park and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-G

Trustee Winkler moved to pass a resolution to approve Green Township Streets as recommended for repair by the Township 2010 Street Rehabilitation Program at an estimated cost of \$1,599,706.50 and authorizing going out to bid. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-H

Trustee Winkler moved to pass a resolution to hire Daniel Peters as a Road Maintenance Worker at a starting salary of \$31,103.00. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-I

Chairman Linnenberg moved to pass a resolution for approval of a Memorandum of an Understanding with Green Township Professional Firefighters Local 2927 regarding the new EMS District Chief position and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-J

Trustee Winkler moved to pass a resolution for authorization to solicit

for bids for a new Custom Cab 1500 GPM Pumper Truck for the Department of Fire & EMS and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-K

Trustee Winkler moved to pass a resolution to enter into a joint agreement between Hamilton County and the Board of Township Trustees of Green Township for the acquisition of right-of-way/easements and the construction of North Bend Road from I-74 to West Fork Road and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

RESOLUTION #10-0208-L

Trustee Winkler moved to pass a resolution authorizing the granting of an easement to Great Oaks over part of Green Township's property on Wesselman Road and directing the Administrator to execute all appropriate documents. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

Administrator Celarek made the following announcement:

1. The Green Township Land Use Committee will hold their third meeting for the 5-year Update of the Green Township Land Use Plan on February 16, 2010 at 7:00 p.m. at the Green Township Administration Building. This meeting will focus on the Glenway Avenue corridor

Fiscal Officer, Tom Straus, stated that two Federal Home Loan Bank bonds were purchased. One is a step bond starting at 2% and goes up to 6% if it does get called. The other bond will yield 1.37% which is callable quarterly. Fiscal Officer Straus stated that he is looking into doing away with the Liquid Asset Management account at Fifth Third Bank because the fees are getting to be more than what the Township is receiving in yield. He also stated that last year the Township received more money in estate taxes than most other years.

Township Attorney, Frank Hyle, stated need for executive session for the purpose of discussing acquisition of property.

Township Administrator, Kevin Celarek, reported that he attended a meeting last week with Duke Energy. Duke Energy explained their Smart Grid. The Smart Grid and Smart Meters are coming to Green Township. The Smart Grid is a box on a telephone pole that will allow Duke Energy to monitor the power and pinpoint the source of a power outage very quickly. It will also automatically cut off power to lines if a tree falls on them. The boxes will be approximately 2 ft. x 2 ft. in size and there will be approximately 10,000 of these boxes installed. The Smart Meters are an addition to electric meters that will allow Duke Energy to monitor the meter by radio frequency; therefore, there will no longer be a need for meter readers to enter homes for readings. There will be approximately 25,000 of these installed over the next three years.

Township Administrator Celarek also reported that the Township has cut injuries by over half in 2009 as compared to the year before. The Township will continue to focus on safety and reducing injuries among employees.

Director of Public Services, Fred Schlimm, reported that his department is preparing for another big snow storm. Mr. Schlimm thanked all of the snow plow drivers and supervisors for a job well done. He asked residents to please move vehicles off of the street during major snow events. This will allow the road crews to clean the streets from curb to curb and make the streets a lot safer and allows the plows to clean off the catch basins. He also reported that complaints were received about snow being piled at the end of driveways. Mr. Schlimm stated that there is no place else to go with it. He also asked residents and private contractors not to push snow from their driveway or parking lot out into the road.

Police Chief, Bart West, reported that his department has completed the annual crime statistics for the year. Of the nine major crime categories, five were up and four were down. Auto accidents were down for the sixth year in a row, and in fact, they have not been this low since 1992.

Chairman Linnenberg reported that Fire Chief, Doug Witsken, could not be present this evening due to his mother being in the hospital. Chairman

Linnenberg asked for prayers for their family.

Asst. Chief, Scott Souders, reported in the absence of Fire Chief, Doug Witsken. Asst. Chief Souders thanked the Department of Public Services for the great job that they did in clearing the streets of snow. He stated that without clean roads their job would be even more difficult.

Director of Development, Adam Goetzman, stated that work has begun on the Schott/Unnewehr house. The foundation has been completed for the addition in the rear that will be for the restroom facilities and kitchenette. Director of Development Goetzman also reported that they will be looking at the Glenway Avenue section of the Land Use Plan for 5-year update. At the last meeting of the Land Use Planning Committee they focused on Bridgetown Road. The upcoming meeting on Tuesday, February 16, 2010 at 7:00 p.m. will focus on Glenway Avenue and is open to observers.

Sgt. Matt Guy, Hamilton County Sheriff's Department stated that he had nothing to report.

Township Attorney, Frank Hyle, gave a brief overview of the problems associated with a stream bed located on the rear of property owned by the Gloria Dei Lutheran Church located on Werk Road and adjacent to the rear of property owned by Mr. and Mrs. Namie on Quailhill. He stated that a collapsed pipe is causing the Namie's yard to slip away. Attorney Hyle stated that Mr. and Mrs. Namie and their Attorney, Bill Seitz, along with representatives from the Gloria Dei Lutheran Church were present to request that the Township apply for an OEPA grant from the new Surface Water Improvement Fund (SWIF).

Attorney Bill Seitz addressed the Trustees, stating the matter has been a long standing problem that both the Namie's and the Gloria Dei Church hoped could have been resolved as part of the Legacy Place remediation proposal. Mr. Seitz requested the Township to apply for an OEPA grant to assist with removing a section of failed storm pipe to help alleviate problems associated with the pipe such as erosion and resulting landslide or slip on the Namie property. Mr. Seitz and the Trustees spoke to the issue, after which Mr. Seitz summarized the discussion. Mr. Seitz acknowledged that the application was not an admission of liability or responsibility on the part of the Township for the underlying erosion and or landslide problems on the site, he indicated that a grant application of \$100,000 seemed to be an appropriate amount, that if a grant was awarded, both the Namie's and Gloria Dei Lutheran Church would have the opportunity to determine whether the grant awarded was suitable to satisfactorily address the issue. If they agree to proceed, the Township will be held harmless from any project costs above the grant amount, that the property owners should consent to establishing the appropriate conservation easements for the project, and that upon acceptance of the grant, the Township shall not have any ongoing maintenance commitment for the project.

Mr. Seitz indicated that if a mutually agreeable solution is not found through the application and awarding of a grant, the final determination may be a legal determination.

Chairman Linnenberg wished to make it clear that the grant application does not commit the Township to any further involvement in this matter. He clarified that the Township would not pay to help resolve the dispute between the Namie's and Gloria Dei related to this matter, and that is not the responsibility of the Township to provide a solution. He noted that the Township is not responsible for this or any stream on private property. The Township has only agreed to apply for an OEPA grant in this matter.

RESOLUTION #10-0208-M

Trustee Winkler moved to pass a resolution to authorize the Township Administrator to apply for an Ohio EPA grant from the new Surface Water Improvement Fund (SWIF). No Township funds will be used in applying for this grant and authorizing the Township Administrator to sign the agreement after review and approval by the Township Attorney subject to receiving written communication from the Namie's and Gloria Dei Church in conformance with five provisions outlined during the discussion between the Trustees and Mr. Seitz. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye.

Ken Sponaugle, 6787 Verde Ridge Drive, asked if Duke Energy's Smart Meters are two-way meters. Administrator Celarek explained that the Smart Meters are one-way meters primarily used for the purpose of meter reading by radio frequently. There is a separate device that residents can order that will periodically turn off air conditioning for a short period during

peak usage. If this device is activated, a small refund does appear on your billing as a reward for signing up for that program.

Mr. Sponaugle asked if a stop sign could be placed in the Wendy's, Skyline development on Harrison Avenue. Chief Bart West stated that he will check to see if there have been accidents at that location and see if the County would have authority to put a stop sign in, or if the developer would install that.

Mr. Sponaugle asked if a white line could be installed on Harrison Avenue where the two left lanes turn left from Rybolt onto Harrison Avenue. Mr. Schlimm stated that he will take a look at that situation.

Mr. Sponaugle asked if someone could look at Harrison Avenue near the Pinnacle Point development. He stated that the roadway there dips to the curb lane. Development Director Goetzman stated that he will take a look at the situation there.

Chairman Linnenberg stated that if residents have questions or concerns that they are welcome to e-mail him at dlinnenberg@greentwp.org.

The next regular meeting of the Board of Trustees will be held on Monday, February 22, 2010 at 5:30 p.m.

Trustee Winkler made a motion to recess into Executive Session for the purpose of discussing acquisition of property. Action may be anticipated. Chairman Linnenberg seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused, Chairman Linnenberg: Aye. The meeting was recessed at 6:17 p.m.; reconvened at 6:30 p.m.

Chairman Linnenberg moved to adjourn the meeting. Trustee Winkler seconded the motion. Trustee Winkler: Aye; Trustee Upton: Excused; Chairman Linnenberg: Aye. Meeting was adjourned at 6:31 p.m.

ATTEST: