

**MINUTES
REGULAR MEETING
NOVEMBER 6, 2014**

The Ross Township Board of Trustees met in regular session to transact business for Ross Township.

ROLL CALL

Present - Raymond J. Wurzelbacher, Thomas E. Willsey and Ellen Yordy.

PROCEDURAL ACTION

Motion 14-123 Upon motion by Trustee Yordy and seconded by Trustee Willsey, the Board voted to dispense with the reading of the minutes of the Regular Meeting held on October 16, 2014. The vote of the Board shows as follows: All present voted yes, which motion carried.

Motion 14-124 Upon motion by Trustee Yordy and seconded by Trustee Wurzelbacher, the Board voted to approve the minutes of the Regular Meeting held on October 16, 2014. The vote of the Board shows as follows: Trustee Yordy and All present voted yes, which motion carried.

The Fiscal Officer, Judy Huffman reported as of this date the township has on deposit \$3,586,762.04. She provided the Board with copies of the Bank Reconciliation Statement for October, 2014.

Trustee Yordy congratulated Chief Steve Miller on the successful election of the 2.75 mill fire levy. She also thanked the many volunteers who worked on the campaign and most importantly, the voters of Ross Township for their support of the Township and its departments.

DEPARTMENT REPORTS

Administration - Administrator Bob Bass asked each member of the Board to provide him with three dates in which they would be available for the 2015 annual appropriations budget meeting in December and advised the Board that its requested resolution establishing truck engine brake noise reduction zones is on the agenda for final consideration. He also announced that the Butler County Water and Sewer Department has received very favorable bids on the Ross Sanitary Sewer Project and that they intend to proceed with construction during the upcoming winter.

Fire Department - Chief Steve Miller presented the monthly report for October, 2014. He also announced that the department's new paramedic unit is ready to be put into service. This will make the unit it is replacing obsolete which will be brought forward at a future Board meeting for consideration of auctioning the old unit.

Road Department - Superintendent Paul Bulach reported that the intersections with site distance visibility problems have all been remedied and provided an update on the supplies available for winter storm operations.

Police Department - Chief Darryl Haussler presented the monthly report for August, 2014.

PUBLIC PARTICIPATION

Ross resident Alyssa Longworth asked the Board if it had any further information on the cell phone tower and was told that it was on the agenda under Old Business. She also asked for all records available on the subject to date going back to the last records request she made on the matter.

Ross businessman Dan Welch stated his objection to the proposed truck engine brake noise reduction zone resolution. He advised the Board of the safety aspect of an engine brake and noted that he believes it is a necessary component of the business. He believes the resolution is an unnecessary expenditure and is unfairly aimed at the truckers as the only source of load noises on the roadway. He additionally asked the Board to reconsider on the basis that Ross is a trucking town with a large trucking presence in the community. He then asked what the cost of signage for the zones would be and the Administrator stated that an estimate of \$3,500 was within reason.

All three trustees explained that they had received complaints about the noise in residential areas and that these areas are where the zones are scheduled for action. They also stated that the resolution is not aimed at any particular trucking company but instead it is available for enforcement where an individual is being intentionally or habitually disruptive to these residential areas.

The Police Chief explained that enforcement is only possible where the noise from an engine brake was used on a truck without proper muffling on the vehicle. He noted that his department does not intend to use their authority in a heavy handed fashion and that it will be instructed to first offer at least one warning to an individual driver.

Ross resident Alyssa Longworth asked the Board to redirect the cost for these zones to a turn lane on S.R. 128 into the Venice Gardens subdivision.

Ross resident Kathy Mienheartt stated that she was one of the complainants' on the engine brake issue and reminded the Board that while Ross is a trucking community it is also a bedroom community.

OLD BUSINESS

Trustee Yordy announced that at Resolution 2014-043 the Board agreed on the concept for a contract for placement of the Verizon Cell Phone Tower on its property at 3133 Hamilton Cleves Road. The resolution was approved subject to contract modifications approved by the Township's Legal Counsel on terms which are not adverse to the Township. She noted that a review of the initial contract was performed and that on the advice and assistance of Township's Legal Counsel, several revisions were made

that are beneficial to both the township and its residents. Consequently, the contract in its final form has been sent back to the Board for signatures. Trustee Yordy stated that she was prepared to sign the agreements to complete the transaction. Trustees Willsey and Wurzelbacher concurred.

NEW BUSINESS

Announcements - None

Correspondence

The Ohio Division of Liquor Control sent a request for renewal of a liquor license for C&C Lounge Ross Motel, Inc. d.b.a C&C Lounge Ross Motel at 2518 Cincinnati Brookville Road. The Police Department has no objection and no hearing is required.

Township Attorney, Dawn Frick sent a letter advising that the Plaintiff in the Michael Webb matter did not file an appeal to the judge's decision affirming the decision of the Ross Township Board of Trustees. The letter further states that the matter is now closed.

The Butler County Recycling and Solid Waste district sent notice of a Waste Tire Recycling Program to be held at Ross High School on Saturday, November 15th from 9:00am to 1:00pm. The event is free to all Butler County Residents and there is a maximum limit of 10 tires per household.

The Butler County Department of Development sent notice of a hearing of the Zoning Board of Appeals at 7:00pm on Thursday, November 18th at the Government Services Center (315 High Street). The hearing is to determine whether to allow or reject RPL Investments request to place a monument sign closer to the property line than the current regulation allows at 3825 Kraus Lane.

Legislation

Purpose - The Board, having received several complaints regarding truck drivers using improperly muffled engine brakes in two residential areas in the Township, is requesting the assistance of the Ohio Department of Transportation and the Butler County Engineer in establishing engine brake noise reduction zones on three state and county highways in an effort to alleviate the problem. The following resolution establishes the limits of those zones and authorizes the purchase and placement of the appropriate roadway signage to allow enforcement.

Resolution 2014-070 Upon motion by Trustee Yordy and seconded by Trustee Willsey, the Board voted on the adoption of a resolution establishing truck engine brake noise reduction zones on Ohio State Route 126, Cincinnati Brookville Road and Ohio State Route 128; directing the township road superintendent to purchase all necessary signage and requesting the Ohio Department of Transportation to erect signage in accordance with the Ohio Manual Of Uniform Traffic Control Devices and R.C. Sections 505.17 and 4513.221(e). The vote of the Board shows as follows: All present voted yes, which

motion carried.

Motion 14-125 Upon motion by Trustee Yordy and seconded by Trustee Wurzelbacher, the Board voted to approve the following voucher/warrants totaling \$141,359.29 and authorize payment:

| NUMBER | PAYEE | AMOUNT |
|---------------|-------------------------------------|---------------|
| 41500 | CHIEF STEVE MILLER | \$85.00 |
| 41501 | MIDWEST FIRE | \$5,100.00 |
| 41502 | APPARELMASTER | \$42.00 |
| 41503 | BP | \$3.00 |
| 41504 | CRAIG KOELBLIN | \$104.61 |
| 41505 | MCCULLOUGH HYDE MEMORIAL HOSPITAL | \$346.00 |
| 41506 | MEDICOUNT MANAGEMENT | \$1,397.95 |
| 41507 | QUALITY PUBLISHING CO | \$2,147.88 |
| 41508 | SIGNERY 2 | \$3,335.00 |
| 41509 | SURDYKE, DOWD & TURNER CO., LPA | \$332.98 |
| 41510 | VISION SERVICE PLAN - (OH) | \$182.82 |
| 41511 | VOGELPOHL FIRE EQUIPMENT | \$375.42 |
| 41512 | WAYNE'S GARAGE LLC | \$364.10 |
| 41513 | WOODHULL LLC | \$331.94 |
| 41514 | ALL PRO PEST CONTROL | \$100.00 |
| 41515 | AT&T MOBILITY | \$975.04 |
| 41516 | DARRYL HAUSSLER | \$2,187.32 |
| 41517 | DELTA DENTAL | \$583.27 |
| 41518 | DUKE ENERGY | \$1,035.03 |
| 41519 | ELLEN W. YORDY | \$10.54 |
| 41520 | EMERGENCY MEDICAL PRODUCTS INC | \$150.00 |
| 41521 | JEFF CLARK | \$13.54 |
| 41522 | KHN PHARMACY ADMINISTRATION | \$8.87 |
| 41523 | KLEI LAWMOWER SALES & SERVICE CO. | \$396.55 |
| 41524 | KRISTEN L. GILLUM | \$120.00 |
| 41525 | OTARMA | \$3,148.48 |
| 41526 | PRO CHEM, INC | \$337.33 |
| 41527 | STAPLES ADVANTAGE | \$163.48 |
| 41528 | TRACTOR SUPPLY STORE | \$99.98 |
| 41529 | WARREN FIRE EQUIPMENT, INC. | \$311.86 |
| 41530 | WATSON GRAVEL, INC. | \$33.85 |
| 41531 | WAYNE'S GARAGE LLC | \$43.81 |
| 41532 | WEX BANK | \$1,814.63 |
| 41533 | CHIEF STEVE MILLER | \$75.00 |
| 41534 | APPARELMASTER | \$109.00 |
| 41535 | BAKER HARDWARE | \$449.31 |
| 41536 | BUTLER RURAL ELECTRIC COOP., INC. | \$160.25 |
| 41537 | CORPORATE ARMOR | \$606.65 |
| 41538 | DUKE ENERGY | \$1,552.84 |
| 41539 | ELLEN W. YORDY | \$239.44 |
| 41540 | EMERGENCY MEDICAL PRODUCTS INC | \$1,927.62 |
| 41541 | FIRST FINANCIAL BANK | \$509.80 |
| 41542 | GREAT MIAMI AUTOMOTIVE PARTS INC | \$397.57 |
| 41543 | HAMILTON COUNTY CORONER | \$90.00 |
| 41544 | KHN PHARMACY ADMINISTRATION | \$617.93 |
| 41545 | MATHESON TRI-GAS INC | \$41.10 |
| 41546 | MATTHEW BENDER & CO INC | \$74.08 |
| 41547 | MEDICAL MUTUAL OF OHIO | \$11,417.21 |
| 41548 | OHIO PEACE OFFICER TRAINING ACADEMY | \$280.00 |
| 41549 | PAUL BULACH | \$48.19 |
| 41550 | ROSS HARDWARE | \$49.99 |
| 41551 | ROY TAILOR UNIFORM CO., INC. | \$2,381.95 |
| 41552 | SOUTHWEST REGIONAL WATER DISTRICT | \$183.61 |
| 41553 | STRYKER SALES CORPORATION | \$1,482.80 |
| 41554 | THE VENICE CORNERSTONE | \$65.00 |
| 41555 | TIME WARNER CABLE | \$191.67 |

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| 41556 | VERIZON WIRELESS | \$15.21 |
| 41557 | WEX BANK | \$617.97 |
| 41558 | WEX BANK | \$1,872.80 |
| 41559 | WHOLESALE TIRE MART | \$35.00 |
| 41560 | WM E FAGALY & SON INC | \$207.35 |
| 41561 | ZACKARY MORRIS | \$250.00 |

The vote of the Board shows as follows: All present voted yes, which motion carried.

Motion 14-126 Upon motion by Trustee Yordy and seconded by Trustee Willsey, the Board voted to retire to executive session to consider the purchase of property for public purposes in accordance with Ohio Revised Code Section 121.22(G)(2) at 6:40pm. The vote of the Board shows as follows: All present voted yes, which motion carried.

Motion 14-127 Upon motion by Trustee Yordy and seconded by Trustee Willsey, the Board voted to return from executive session to the regularly scheduled meeting at 6:51pm. The vote of the Board shows as follows: All present voted yes, which motion carried.

Motion 14-128 Upon motion by Trustee Yordy and seconded by Trustee Wurzelbacher, the Board voted to compel Trustee Willsey and the Township Administrator to make a formal offer for the purchase of property for public purposes. The vote of the Board shows as follows: All present voted yes, which motion carried.

Trustee Yordy advised that the details of the purchase will be made public upon acceptance of the offer.

Motion 14-129 There being no further business to come before the Board at the time; upon motion by Trustee Yordy and seconded by Trustee Wurzelbacher, the Board voted to adjourn the meeting. The vote of the Board shows as follows: All present voted yes, which motion carried.

The next regular meeting of the Ross Township Board of Trustees will be held on November 20, 2014 at 6:00 pm at the Ross Fire Station #1.

ROSS TOWNSHIP BOARD OF TRUSTEES

Ellen Yordy President

Thomas E. Willsey Vice President

Raymond J. Wurzelbacher Trustee

ATTEST:

Judy Huffman Fiscal Officer