

TURTLECREEK TOWNSHIP BOARD OF TRUSTEES

ON

JULY 29

14

The public hearing of the Board of Trustees of Turtlecreek Township was held on July 29, 2014 at 7:00 p.m. to discuss the Monroe/Turtlecreek JEDD with the following person present:

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

CHIEF FISCAL OFFICER: Tammy Boggs

GUEST: Steve Flint, Ron Chasteen, Jon Paul Campbell, Jennifer Niehaus, and Nelda Lane.

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

Mr. Sams informed the public that the JEDD agreement with the City of Monroe and Turtlecreek Township will provide income in the following manner: \$275,000 per year will be for the Township, \$275,000 per year will be for the City, \$80,000 per year will be for the City to provide periodic capital improvements and long-term maintenance for the roadways, off ramps, sidewalks, intersections, signage, and other public infrastructure at the interchange of Interstate 75 and State Route 63 in support of the District, \$27,000 per year will be for the District, and \$13,500 per year will be compensation to the City for services provided under the District Income Tax Collection and Distribution Agreement.

Mr. Sams informed the public that the Trustees have received one complaint regarding the JEDD Agreement from a resident.

Mr. Jones asked the public if they had any comments or concerns regarding the Monroe/Turtlecreek JEDD. No one had any comments or concerns.

Mr. VanDeGrift made a motion to pass the JEDD Resolution. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 14-07-03**. (A copy of the resolution is included in the minutes).

Mr. Sams made a motion to close the public hearing at 8:08 a.m. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the motion was passed to close the public hearing regarding the Monroe/Turtlecreek JEDD.

Mr. Jones called the regular scheduled meeting of the Board of Trustees of Turtlecreek Township to order at 8:08 a.m.

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. VanDeGrift moved for acceptance, seconded by Mr. Jones. All were in favor and the minutes were approved as written.

Ms. Boggs informed the Trustees that a resolution is required by OPWC to proceed with the application process. Mr. Sams made a motion to approve Mr. Daniel F. Jones as the authorized person to sign the OPWC application. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 14-07-04**. (A copy of the resolution is included in the minutes).

Ms. Boggs informed the Trustees that the township's sonicwall need to be upgraded and that the netgear switch need to be replaced to obtain faster internet service. The total cost for the two items which include a three (3) year service agreement for sonicwall is \$1,087.00. Mr. Sams made a motion to approve the amount of \$1,087.00 for the upgrades paid to Ferris Electronics. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 14-07-05**. (A copy of the resolution is included in the minutes).

Ms. Boggs discussed with the Trustees that passing of Mr. Keith Nixon, former Trustee. The Trustees decided to make a donation in the amount of \$300.00 to the Tina Nixon Meranda Lung Cancer Research Fund at Mass. General. Mr. VanDeGrift made the motion for the \$300.00 donation. Mr. Sams seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 14-07-06**. (A copy of the resolution is included in the minutes).

Mr. Sams stated that he would like to have an executive session to discuss land for the township.

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 he is obtaining quotes for a replacement suburban for his vehicle. He will follow up at the next meeting with pricing.

Road and Bridge: Ron Chasteen, Road Crew Chief, presented his weekly department activity reports completed since the previous meeting. Mr. Chasteen stated that he will obtain the entrance agreements from the two (2) residents on Tumbleweed to complete the drainage work. Mr. Chasteen informed the Trustees that the Road Department will be removing the debris from the headwalls in Buckeye Fields to help with the drainage issues. Mr. Chasteen reported that the road failure in Trails of Shaker Run has been repaired. Mr. Chasteen stated that the crew will be staining the park shelters and that the ditches on Nixon Camp and Liberty Keuter have been completed. Mr. Chasteen stated that he is obtaining pricing on a new service truck and will provide this information to the Trustees at the next meeting.

Correspondence – In:

- *Email from Mental Health Recovery Services regarding Strong Families Safe Communities Kick Off Event August 4, 2014.
- *Email from Cintas regarding pricing
- *Letter from Ohio Public Entity Consortium regarding cooperative status
- *Letter from WC Rural Zoning regarding zoning violation on 1162 Orchard Run Dr
- *Letter from Dave Yost regarding Town Hall Meeting
- *Resolution from WC Commissioners regarding rezoning application for Otterbein

Correspondence – Out:

- *Letter to WC Rural Zoning regarding the Conditional Site Plan for 1838 Wilmington Road
- *Letter to WC Regional Planning Commission regarding Record Plat for Trails of Shaker Run Section Nine A
- *Letter from WC Regional Planning Commission Record plat for The Estates of Keever Creek Section 1 Phase 2E
- *Letter to Dave Nieman Motorola Solutions regarding update on radio
- *Letter to Ohio Public Works Commission regarding resolution for application

The Fiscal Officer presented the bills which were due and the following checks were approved and signed. Check Nos.21411 through 21466 (copy to follow) AND VOUCHER 68-2014.

The Fiscal Office reported the following income from: Warren County Auditor, N. Nelson - \$1,986.75 (June 14 New \$5 Perm Auto), \$1,986.49 (June 14 Motor Vehicle License Tax), \$8,612.61 (June 14 \$5 Permissive Auto Tax), \$2,550.54 (July 14 Cents Per Gallon), \$4,297.43 (July 14 Local Government), Medical Air Services – \$17.73 (Life Squad Services), United of Omaha Life - \$167.69 (Life Squad Services), Standard Life & Accident - \$86.51 (Life Squad Services), Blue Cross & Blue Shield - \$82.89 (Life Squad Service), K. Bentley - \$30.00 (Life Squad Service), M. Shutts - \$30.00 (Life Squad Service), O'Connor Acciani & Levy - \$534.00 (Life Squad Service), OBWC - \$322.74 (2014 Refund), W. Hoff - \$20.00 (House Number Signs), City of Lebanon - \$426.69 (White Property Annex Taxes).

Visitor Concerns

A motion was made by Mr. Sams that the Board of Trustees adjourn into executive session to discuss land for the township pursuant to ORC 121.22 (G) (2). The motion was seconded by Mr. VanDeGrift and upon call of roll call, Mr. Jones "YEA", Mr. VanDeGrift "YEA", and Mr. Sams "YEA" the executive session was entered. By motion of Mr. Sams that the Board of Trustees adjourn out of executive session and return to the open meeting and ask the Fiscal Officer to note in the minutes that NO ACTION WAS TAKEN. The motion was seconded by Mr. VanDeGrift the executive session ended. Upon call of roll, Mr. Jones "YEA", Mr. VanDeGrift "YEA" and Mr. Sams "YEA" the Board returned to regular session.

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 August 11, 2014 at 7:00 p.m.

Signed: _____ President

Attest: _____ Chief Fiscal Officer

**TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

The Board of Township Trustees (the "Board") of the Township of Turtlecreek, Warren County, Ohio (the "Township") met in regular session on Tuesday, July 29, 2014, at 8:00 a.m., at the offices of the Board with the following members present:

Mr. Daniel F. Jones

Mr. Jim VanDeGrift

Mr. Jonathan D. Sams

Mr. VanDeGrift introduced the following Resolution and moved its adoption:

RESOLUTION 14-07-03

**A RESOLUTION APPROVING THE AGREEMENT TO
CREATE THE TURTLECREEK-MONROE RACEWAY JOINT
ECONOMIC DEVELOPMENT DISTRICT**

WHEREAS, Ohio Revised Code Chapter 715 empowers certain political subdivisions to form joint economic development districts to share in the costs of improvements for economic development purposes; and

WHEREAS, in accordance with Ohio Revised Code Sections 715.72 through 715.81, the Township and the City of Monroe, Butler County and Warren County, Ohio (the "City") have negotiated and intend to enter into the Turtlecreek-Monroe Raceway Joint Economic Development District Agreement (the "Agreement") to create and provide for the operation of a joint economic development district known as the Turtlecreek-Monroe Raceway Joint Economic Development District (the "JEDD"); and

WHEREAS, the stated purpose of the Agreement is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio, Warren County, the Township, and the City; and

WHEREAS, a majority of the property owners in territory proposed for inclusion in the JEDD (the "District") have petitioned for the formation of the JEDD, and the territory to be included, which is currently zoned "Mixed Use Center", is appropriate to the function of the JEDD; and

WHEREAS, pursuant to Ohio Revised Code Section 715.75, the Township conducted a public hearing regarding the Agreement and the JEDD, with appropriate public notice, and made available for public examination all documents required by law for review; and

WHEREAS, as required by Ohio Revised Code Section 715.75, the Board of Commissioners of Warren County, where the JEDD will be located; and the Board of Commissioners of Butler County, in which part of the City is located, have been provided with copies of the Agreement.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Turtlecreek Township, County of Warren, State of Ohio that:

SECTION 1. The Board approves the Agreement, in substantially the form attached to this Resolution as Exhibit A, and authorizes the President of the Board of Trustees to sign the Agreement. The President of the Board of Trustees and the Township Fiscal Officer are jointly authorized and directed to execute and deliver any other agreements, documents or certificates, and take all other actions, necessary to accomplish the purposes of this Resolution.

SECTION 2. The Board adopts the Economic Development Plan for the District as provided in Exhibit A of the Agreement.

SECTION 3. Upon approval of the JEDD Agreement by the City, the Township Fiscal Officer shall, jointly with the City, file or cause to be filed with the Board of Commissioners of Warren County all documents required by Ohio Revised Code Section 715.76, including (i) a signed copy of the Agreement, including its exhibits; (ii) certified copies of this Resolution and the City's Ordinance approving the Agreement; (iii) certificates from the Township and the City that the public hearings required by Ohio Revised Code Section 715.75 have been held, which certificates shall include the dates of the hearings and evidence of publication of the notice of the hearings; (iv) a copy of the petitions signed by the majority of owners of property located in the JEDD; and (v) a copy of the petitions signed by the majority of owners of businesses located in the JEDD.

SECTION 4. The Township Fiscal Officer shall retain on file a copy of the Agreement and its exhibits, including (i) the Economic Development Plan; (ii) the JEDD map and list of included parcels; and (iii) Ohio Revised Code Sections 715.72 through 715.82 as effective on the date of the executed Agreement. Upon the creation of the JEDD, the Township Fiscal Officer is authorized to file a copy of all documents required by Ohio Revised Code Section 715.76 with the Director of Development Services of the State of Ohio in accordance with Ohio Revised Code Section 715.771.

SECTION 5. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions occurred in meetings open to the public, in compliance with law, including Ohio Revised Code Section 121.22.

SECTION 6. This Resolution shall be effective at the earliest date allowed by law.

Mr. Sams seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: Mr. Jones, Mr. VanDeGrift and Mr. Sams

The Resolution was adopted.

Adopted: July 29, 2014

BOARD OF TRUSTEES OF
TURTLECREEK TOWNSHIP, WARREN
COUNTY, OHIO

Signed:

Township Trustee

Township Trustee

Township Trustee

Attest:

Township Fiscal Officer

AUTHENTICATION

This is to certify that this Resolution was duly adopted and filed with the Turtlecreek Township Fiscal Officer, this 29th day of July, 2014.

Fiscal Officer

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Board of Township Trustees of Turtlecreek Township, Warren County, Ohio.

Fiscal Officer

Dated: July 29, 2014

EXHIBIT A

AGREEMENT

**RESOLUTION 14-07-04
TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

A RESOLUTION AUTHORIZING TURTLECREEK TOWNSHIP TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION LOCAL TRANSPORTATION IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTIVE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Board of Turtlecreek Township Trustees is planning to make capital improvements to Liberty Keuter Road with a Drilled Pier Wall, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County:

Section 1: The President of the Board of Trustees of Turtlecreek Township, Dan Jones, is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The President of the Board of Trustees of Turtlecreek Township, Dan Jones, is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Adopted this 29th day of July, 2014

Signed: _____ "YEA"
_____"YEA"
_____"YEA"
Attest: _____ CHIEF FISCAL OFFICER

**RESOLUTION 14-07-05
TURTLECREEK TOWNSHP
WARREN COUNTY, OHIO**

BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall update the SonicWALL and Netgear Switch for the township building at a cost of \$1,087.00 from Ferris Electronics. Source of the funds will be from the General Fund #1000-110-319-0000 in the amount of \$1,087.00 (Other – Professional and Technical Services). Resolution was initiated by Mr. Sams and seconded by Mr. VanDeGrift. All voiced a "YEA" vote and the resolution passed.

Adopted this 29th day of July, 2014.

Signed: _____ "YEA"
_____"YEA"
_____"YEA"
Attest: _____ Chief Fiscal Officer

**RESOLUTION 14-07-06
TURTLECREEK TOWNSHP
WARREN COUNTY, OHIO**

BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that they shall made a donation in memory of Mr. Keith Nixon to the Tina Nixon Meranda Lung Cancer Research Fund in the amount of \$300.00. Source of the funds will be from the General Fund #1000-110-591-0000 (Contributions to Other Organization). Resolution was initiated by Mr. VanDeGrift and seconded by Mr. Sams. All voiced a "YEA" vote and the resolution passed.

Adopted this 29th day of July, 2014.

Signed: _____ "YEA"

_____ "YEA"

_____ "YEA"

Attest: _____ Chief Fiscal Officer