

RECORD OF PROCEEDINGS

Minutes of

Union Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 14,

2009

Union Township Trustees met in regular session on Tuesday, April 14, 2009. The meeting was opened at 7:00 P.M. with the Pledge of Allegiance.

Roll call: Mr. McGee, Mr. Beamer, Mr. Donnellon, Fiscal Officer, Mr. Campbell, Administrator, Mr. Duckworth, Service Director, Mr. Taylor, Assistant Administrator, Mr. Wright, Police Chief, Terry Zinser, and Fire Chief, Stan Deimling.

Mr. Donnellon made a motion to approve the minutes from the March 24, 2009, regular meeting. Motion seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Tony Thomas and Barb Haglage stated that the Taste of Clermont will be moved to the Eastgate Mall area the 2nd week of September. (September 11, 12, & 13)

Chief Deimling presented his bi-monthly report to the Trustees.

Chief Zinser presented his bi-monthly report to the Trustees.

Mr. Taylor presented his bi-monthly report to the Trustees.

Mr. Wright presented his bi-monthly report to the Trustees.

Mr. Duckworth presented his bi-monthly report to the Trustees.

A public hearing was held on Zoning Case #1-09-0.

Jonathan Wocher of McBride Dale Clarion spoke in favor of the plan.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion the application for Focus Area Overlay District status, consisting of a request by Regency Centers LP to allow construction of a Kroger Fuel Center and Kroger Pharmacy drive-thru kiosk, with associated signage installations on the subject property as submitted. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. Donnellon made a motion to award the Mt. Moriah Cemetery Fencing project to Colonial Post and Fence in the amount of \$26,790.00. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to award the Brantner Dameron Lane Project to J.K. Meurer in the amount of \$371,671.00. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Beamer made a motion to pay the outstanding bills. Motion seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. Beamer made a motion to accept the Monthly Financial report. Motion seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. McGee made a motion to remove Bob Puskamp, Maintenance Worker 1 from probationary status on April 16, 2009 at the rate of \$21.38. Motion was seconded by Mr. Donnellon. Mr. McGee – yea: Mr. Donnellon – yea: Mr. Beamer – yea.

Mr. McGee made a motion to remove Bill Barnes, Firefighter/Paramedic from probationary status on April 26, 2009 at the rate of \$17.22. Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. McGee made a motion to hire Tiffany Hatchett for the position of Communication Specialist at the rate of \$16.46 on April 28, 2009. Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. Donnellon made a motion to approve the Performance agreement with Zak Morgan. (\$750.00) Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

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Mr. Beamer made a motion to approve the Maintenance Agreement Bachman's Inc. (\$11,292.00) Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. McGee made a motion to approve the User Agreement with Cincinnati Bell. (\$400.00) Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. Beamer made a motion to approve the procurement of easements for the Schoolhouse Road construction project. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea:

Mr. Donnellon made motion to approve the purchase orders presented by Mr. Duckworth. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to accept the proposal submitted by N6 Design Group in the amount of \$15,000.00 for the Union Township website redevelopment project and authorize the administrator to enter into a contract. Motion was seconded by Mr. McGee. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

Mr. Beamer made a motion to adopt Resolution 2009-05 as recommended. Motion was seconded by Mr. Donnellon. Mr. Beamer – yea: Mr. Donnellon – yea: Mr. McGee – yea.

Mr. McGee made a motion to schedule a work session to discuss various township operational matters on April 22, 2009, Wednesday at 6:30 p.m. Motion was seconded by Mr. Donnellon. Mr. McGee – yea: Mr. Donnellon – yea: Mr. Beamer – yea.

Junk Days are April 20th – April 25th, 2009. Times are as follows: Monday – Friday: 7:00 a.m. – 5:00 p.m. and Saturday, 8:00 a.m. – 4:00 p.m. Everything is accepted except hazardous waste.

Union Township TV has been nominated for four (4) Blue Chip awards.

Mr. Beamer asked for 1, 3, & 5 year capital improvement plan for Mt. Moriah Cemetery.

Jim Gegner, 3931 Diekman Lane, Withamsville, asked the Board to address the water runoff problem in his back yard from the apartment building on Banks Road. The administrator will investigate for the Board.

Mr. McGee made a motion to go into Executive Session at 8:26 p.m. pursuant to Section 121.22 of the Ohio Revised Code for the following:

1. To Discuss the Employment and Compensation of Public Employees Pursuant to Section 121.22 (G) (1) of the Ohio Revised Code.
2. To Discuss the Sale of Purchase of Property Pursuant to Section 121.22(G) (2) of the Ohio Revised Code.
3. To Discuss Pending or Imminent Litigation Pursuant to Section 121.22 (G) (3) of the Ohio Revised Code.
4. To Review Collective Bargaining Sessions with Public Employees Pursuant to Section 121.22 (G) (4) of the Ohio Revised Code.

Motion was seconded by Mr. Donnellon. Mr. McGee – yea: Mr. Donnellon – yea: Mr. Beamer – yea.

Mr. Donnellon made a motion to come out of Executive session at 11:01 p.m with no action taken. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. McGee – yea: Mr. Beamer – yea.

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

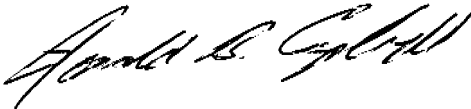
Held April 14,

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Mr. Donnellon made a motion to adjourn. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

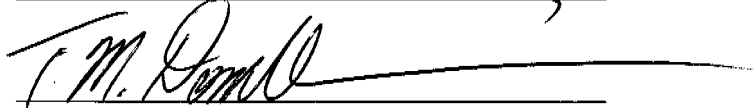
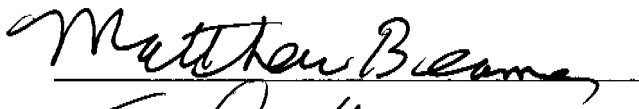
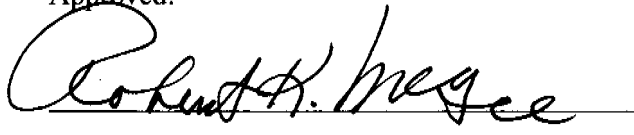
Meeting adjourned at 11:03 p.m.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:



RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held 20

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 09-05

Passed April 14, 2009

RESOLUTION 2009 - 05

RESOLUTION EMPLOYING ATTORNEYS FOR PARTICULAR MATTERS

The Union Township Board of Trustees, Clermont County, Ohio met in regular session on April 14, 2009, at 7:00 p.m., with the following members present:

Robert McGee
Matthew Beamer
Timothy Donnellon

MR. BEAMER made a motion to adopt the following Resolution:

WHEREAS, this Board of Township Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ attorneys other than the prosecuting attorney for a particular matter to represent the Township and its officers in their official capacities and to advise them on legal matters; and

WHEREAS, the firm of Squire, Sanders & Dempsey L.L.P., 221 E. Fourth Street, Suite 2900, Cincinnati, Ohio 45202, is qualified to act as such attorneys with respect to the matters described in Schedule A hereto, and has represented to this Board that it is content to be bound by the terms of this Resolution; and

WHEREAS, Section 309.09(B) of the Revised Code provides that no such attorneys may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorneys' legal services shall be fixed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Union Township, Clermont County, Ohio by authority of Section 309.09(B) of the Ohio Revised Code, as follows:

SECTION 1: This Board hereby finds that it is advisable to have additional legal counsel to advise this Board as to bond and note issuance and other financing matters. Squire, Sanders & Dempsey L.L.P. ("Attorneys") are hereby employed as Union Township's attorneys for the particular matters set forth on Schedule A hereto, which Schedule A is by this reference incorporated herein. The Township Administrator and Law Director are authorized to execute an engagement letter agreement provided by the Attorneys and reflecting this Resolution.

SECTION 2: The Attorneys' compensation is fixed as set forth on Schedule B hereto, which Schedule B is by this reference incorporated herein. In addition, the Attorneys shall be compensated for costs and out-of-pocket expenses reasonably incurred, including laser copies, facsimile transmissions, telephone charges, mileage, and package delivery, at the Attorneys' prevailing office rates.

SECTION 3: The Attorneys may be discharged at any time by majority vote of this Board.

SECTION 4: A copy of this Resolution shall be certified to the Attorneys by the Township Fiscal Officer.

SECTION 5: The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

SECTION 6: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

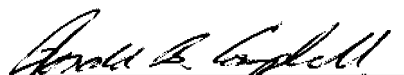
SECTION 7: This Resolution shall take effect at the earliest period allowed by law.

MR. DONNELLON seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

| | |
|---------------|------------|
| Mr. McGee | <u>AYE</u> |
| Mr. Beamer | <u>AYE</u> |
| Mr. Donnellon | <u>AYE</u> |


Resolution 2009-05 adopted April 14, 2009

ATTEST:



Ronald B. Campbell, Fiscal
Officer

APPROVED AS TO FORM:



Lawrence E. Barbieri,
Township Law Director

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Zoning

Meeting

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A Public Hearing was held on Zone Case #1-09-0

The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for a single parcel (P.I.N 413214D057.), seeking relief from several provisions of the Zoning resolution, including Sections 602, 812.19, & 907.2 of the Zoning Resolution. If approved, this particular Overlay would allow the applicant to construct approximately 6800 s.f. canopy and sales kiosk on for a seven pump fuel center and a small drive through kiosk in a separate location for pharmacy pickups situated on a parcel 20.311 acres in the gross lot area, thereby allowing for modifications of a nonconforming use/lot of record. Wall signage for the accessory uses and enlargement of the pylon sign that services shopping center is included. The applicant is proposing a Focus Area Overlay - Commercial Corridor {FA-CC} Overlay District Classification within the Ohio Pike Corridor.

Jonathan Woche of McBride Dale Clarion spoke in favor of the plan.

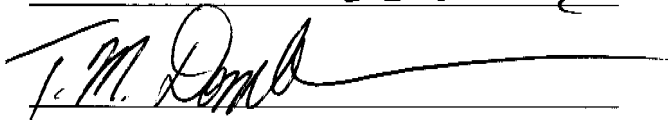
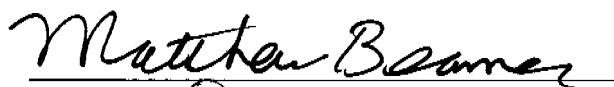
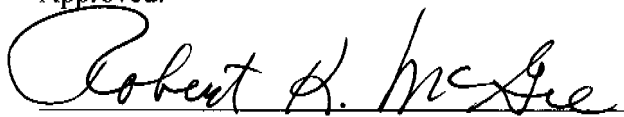
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Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:



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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ 20____



RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held
20

SCHEDULE A

Review documentation pertaining to the 2007 and 2008 TIF Revenue Bond Anticipation Notes of the Township and to advise the Board, Fiscal Officer and Township Administrator as to financing plans, and to assist in pursuing steps necessary to implement that plan.

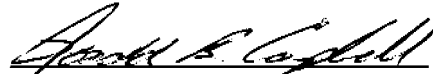
SCHEDULE B

An amount not to exceed \$20,000 without further action of this Board.



CERTIFICATION

I, Ronald B. Campbell, Fiscal Officer of Union Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Union Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof; and I hereby certify that at the time of making of this Contract and the execution of this certification the amount required to meet the obligations set forth in this Contract has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.



Ronald B. Campbell
Fiscal Officer, Union Township.

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