

Pierce Township Trustees  
Meeting  
Minutes

February 14, 2012 6:30 PM

The Board of Trustees of Pierce Township, Clermont County, Ohio met in Regular Session at 6:30 PM, on Tuesday, February 14, 2012 at the Pierce Township Administration Building, 950 Locust Corner Road.

**CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

Chairman Chris Knoop called the meeting to order. Board members answering roll call: Mr. Christopher Knoop, Mrs. Bonnie Batchler, and Mr. Rich Riebel. Also present were Township Administrator, David Elmer, Township, Fire Chief Aaron Boggs, Interim Police Chief Jeff Bachman, Public Works Director Luke Mantle and Zoning Enforcement Officer, Tub Maxson.

**APPROVAL OF THE MINUTES**

Mrs. Batchler made a motion, seconded by Mr. Riebel to approve the Special Meeting Minutes from the January 3, 2012, 2:00 PM meeting as submitted. Roll call on motion: All aye.

Mr. Riebel made a motion, seconded by Mrs. Batchler to approve the Special Meeting Minutes from the January 3, 2012, 6:30 PM meeting as submitted. Roll call on motion: All aye.

Mrs. Batchler made a motion, seconded by Mr. Riebel to approve the Regular Meeting Minutes from the January 10, 2012 meeting as submitted. Roll call on motion: All aye.

Mr. Riebel made a motion, seconded by Mrs. Batchler to approve the Special Meeting Minutes from the January 17, 2012, 5:30 PM meeting as submitted. Roll call on motion: All aye.

Mr. Riebel made a motion, seconded by Mrs. Batchler to approve the Special Meeting Minutes from the January 31, 2012, 4:00 PM meeting as submitted. Roll call on motion: All aye.

**POLICE DEPARTMENT BUSINESS**

Interim Chief Jeff Bachman presented the monthly report. Interim Chief Jeff Bachman reported that his department had an excellent resolution by Officers Jay Shaw, Julie Poe and the Canine Officer Razak to a recent break in at Sky Valley Swim Club which resulted in the arrest of all three suspects.

Interim Chief Jeff Bachman noted that his department could not donate the body armor vests to the New Vienna Police Department upon advice from legal counsel.

### **FIRE DEPARTMENT BUSINESS**

Fire Chief Boggs presented the monthly report of the Fire Department to the Board and he requested approval on the following two motions:

#### **Resignation of Captain Stanley Dale Lewis – Accepted**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Fire Chief to accept the resignation of Captain Stanley Dale Lewis effective February 22, 2012. It should be noted that Captain Lewis is considered in good standing. Roll Call on motion: All Aye.

#### **Surplus of Captain Stanley Dale Lewis Helmet – Approved**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Fire Chief to surplus Captain Lewis's Cairns 1010 helmet. The helmet is valued at \$0.00 dollars and due for replacement. It is the intention with the Board's approval to give the helmet to Captain Lewis in recognition of his eleven years of dedication and service to the township. Roll call on motion: All aye.

### **PUBLIC WORKS DEPARTMENT BUSINESS**

Luke Mantle presented the monthly report for the Public Works Department. Mr. Mantle requested action on six items.

#### **Playground Turf -Authorized**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Public Works Director to accept the price of \$4,725.00 submitted by Irvine Wood Recovery for delivering 250 cubic yards of playground "turf". Roll call on motion: All aye.

#### **Lawn Care Mowing -Authorized**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Public Works Director to renew the Grounds Maintenance contract for the price of \$15,999.90 as submitted by Sullivan Services for thirty weeks of mowing. Roll call on motion: All aye.

#### **Lawn Care Fertilizer Application -Authorized**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Public Works Director to renew the Lawn Care Fertilizing contract for the price of \$4,162.17 as submitted by Sullivan Services. Roll call on motion: All aye.

#### **Asphalt Patching by William Light Paving -Authorized**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Public Works Director to approve \$4,230.00 for patching to be completed for Country Club Drive, Trevino Ct and Palmer Ct by William Light Paving. Roll call on motion: All aye.

**Asphalt Patching by Koehler & Day Blacktopping -Authorized**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Public Works Director to approve \$9,500.00 for patching to be completed for East Legendary and West Legendary roads by Koehler & Day Blacktopping. Roll call on motion: All aye.

**Asphalt Patching by Neyra Paving -Authorized**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Public Works Director to approve \$9,675.00 for patching to be completed on Derby Drive by Neyra Paving. Roll call on motion: All aye.

**TOWNSHIP ADMINISTRATOR BUSINESS**

**Rodney Sellers – Addressed the Board**

Mr. Rodney Sellers “owner of the property” on which Tombstone Cycles is located asked the Board on the behalf of his business and Sam’s Convenience Store to be included in dialogue if and when Lewis Road and White Oak Road intersection was considered for improvement. Mr. Sellers expressed that if a road improvement was made which did not allow his customers and the customers of Sam’s Convenience Store to have easy ingress and egress, that their businesses would be negatively impacted. The Board pledged to include these business owners when reviewing any road improvement plans slated for this intersection.

**TIF Resolution 012-007 - Adopted**

Mr. Riebel made a motion, seconded by Mrs. Batchler to adopt Resolution 012-007 declaring improvement to parcels of real property located in Pierce Township, Ohio to be a public purpose under section 5709.73 (B) of the Ohio Revised Code, exempting such improvements from real property taxation, declaring certain public infrastructure improvements to be a public purpose which are necessary for the further development of those parcels, and establishing a Tax Increment Equivalent Fund. Roll call on motion: All aye. See attached Resolution 012-007

**Salary Distribution Method for 2012**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based on the recommendation of Dave Elmer to approve a salary distribution method from certain funds which align with the employee’s work duties and responsibilities. Roll call on motion: All aye.

**Manley Burke Law Firm Engaged**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based on the recommendation of Dave Elmer to engage Manley Burke legal services at \$150.00 per hour for representation and legal counsel regarding the proposed Kroger development. Roll call on motion: All aye.

**Select Strategies Tree Removal**

Mrs. Batchler made a motion, seconded by Mr. Riebel to authorize Dave Elmer to sign the agreement with Select Strategies to commence tree removal on township owned property. Roll call on motion: All aye.

It was noted that no action was needed since the Board did not object to the transfer of the liquor permit from Stillmeadow Golf Management LLC to SPE GO Holdings Inc DBA Royal Oak Country Club.

**Center for Local Government Membership Dues Approved**

Mrs. Batchler made a motion, seconded by Mr. Riebel to approve payment of the annual Center for Local Government membership dues in the amount of \$3,825.00. Roll call on motion: All aye.

**Annual Phase II Stormwater Permit Fee Approved**

Mr. Riebel made a motion, seconded by Mrs. Batchler to approve payment of the annual Phase II Stormwater Permit Fee in the amount of \$3,710.17. Roll call on motion: All aye.

**Clarence Roller – Greenspace Committee**

Clarence Roller from the Greenspace Committee presented a resolution for the Board’s review and consideration. No action was yet taken.

**EXECUTIVE SESSION**

At 7:38 PM, Mrs. Batchler made a motion, seconded by Mr. Riebel that pursuant to 121.22 G (1) (3) & (4), the Board go into Executive Session to discuss Personnel Matters such issues as appointment, employment and imminent/pending legal matters and preparation for collective bargaining with Elizabeth Mason from the Clermont County Prosecutor’s Office. Roll call on motion: All aye.

At 9:17 PM, Mrs. Batchler made a motion, seconded by Mr. Riebel to leave Executive Session with no action being taken by the Board while in Executive Session. Roll call on motion: All aye.

**Personnel Policy Manual Amendment**

Mrs. Batchler made a motion, seconded by Mr. Riebel to authorize Administrator David Elmer to amend Section 2.9© of the Personnel Policy Manual to include the following language, identified in bold italics: “Full-time and part-time non-exempt employees required to work on New Year’s Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving Day, Christmas Day and on the day which the Board observes as the holiday will be paid at a rate of two (2) times their calculated hourly rate” and to revise any other related text. Roll call on motion: All aye.

**Active Work Status Amendment**

Mrs. Batchler made a motion, seconded by Mr. Riebel to authorize Administrator David Elmer to amend the definition of “Active Work Status” in Section 1.12 of the

Personnel Policy Manual to read as follows: “Active Work Status – Hours worked. Active work status also includes vacation, holiday, and compensatory paid time off, but does not include sick leave.” And to revise any other related text. Roll call on motion: All aye.

## **TOWNSHIP FISCAL OFFICER’S BUSINESS**

### **Cash Fund Balance Report**

Mrs. Register also provided a cash summary by fund, bank reconciliation report, receipt account status report, and appropriation status report to the Board for their review. There were no inquiries relative to the reports.

### **Salute to Leaders – Tickets Authorized**

Mrs. Batchler made a motion, seconded by Mr. Riebel to authorize a purchase of one table (10 tickets) in the amount of \$300.00 to the Salute to Leaders upcoming dinner on March 13, 2012. Roll call on motion: All aye.

### **March Meeting Date Changed**

Mrs. Batchler made a motion, seconded by Mr. Riebel to move the March regular meeting date to March 12, 2012 to allow the Board to attend the Salute to Leaders dinner and to honor George Juilfs, the township’s nominee. Roll call on motion: All aye.

### **Resolution 012-005 – Engagement of the LGS with the Auditor of State**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Township Fiscal Officer; the Board approves Resolution 012-005 outlining the engagement with the Local Government Services to prepare the 2011 OCBOA statements for Pierce Township GAAP compliant reporting in the maximum amount of \$2800.00. Roll call on motion: All aye. Resolution attached.

### **Vacation Time Carryover Authorized – Claudia Carroll**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Township Fiscal Officer; the Board approves Claudia Carroll to carryover up to fifty two (52) hours of vacation time to April 1, 2012. Roll call on motion: All aye.

### **Payment of Bills – Payroll Deduction Check**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Township Fiscal Officer; the Board approves the payroll deduction check from 12/30/11 in the amount of \$138.83 as previously provided. Roll call on motion: All aye.

### **Payroll – January 13, 2012**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Township Fiscal Officer; the Board approves the payroll from January 13, 2012 for \$117,005.46 as previously provided. Roll call on motion: All aye.

**Payment of Bills – January 18, 2012**

Mr. Riebel made a motion, seconded by Mrs. Batchler that based upon the recommendation of the Township Fiscal Officer; the Board approves the bills from January 18, 2012 for \$77,059.07 as previously provided. Roll call on motion: All aye.

**Payment of Bills – January 30, 2012**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Township Fiscal Officer; the Board approves the bills from January 30, 2012 for \$80,274.05 as previously provided. Roll call on motion: All aye.

**Payroll – January 31, 2012**

Mrs. Batchler made a motion, seconded by Mr. Riebel that based upon the recommendation of the Township Fiscal Officer; the Board approves the payroll from January 31, 2012 for \$166,490.30 as previously provided. Roll call on motion: All aye.

**ADJOURNMENT**

At 9:50 PM, Mr. Riebel made a motion, seconded by Mrs. Batchler that the meeting be adjourned. Roll call on motion: All aye.

ATTESTED:

The Pierce Township approved the foregoing minutes of the Board of Trustees on:

\_\_\_\_\_  
Karen Register, Township Fiscal Officer

\_\_\_\_\_  
Chris Knoop, Chairman  
Pierce Township Board of Trustees