

# Minutes January 27, 2009 Meeting

The Salem Township Board of Trustees met January 27, 2009 in regular session at the Township Hall for the purpose of transacting the business of the Township. Chairman Kirk Ramsey called the meeting to order at 7:00 P.M. with members Dick Kilburn and Dick Dare present.

Others present were: Ralph Blanton, Lee Short, Mike Kassalen, Mr. & Mrs Opperman, Donald Lynch, Dan Browning, Donna and Jim Burnette, Jim Dare, Heath Kilburn, Bruce McGary.

The minutes were read and approved and posted in the township hall.

## **Cemetery Update**

|           |               |                            |
|-----------|---------------|----------------------------|
| 1/9/2009  | Verna Mayhew  | Sec 4 Lot 230 #2 NW Corner |
| 1/23/2009 | Delta Caudill | Sec 5 Lot 55 NW Corner     |

## **Donald Lynch Items**

Mr. Lynch questioned the posting of the minutes on the website and also the fact that he could not get page 2 to print. He stated he had gone back to 2006 and read about a sign for David T. Smith being grandfathered in. He stated his sign should also be grandfathered. He told the board he had a proposal in order to slow things down in the current civil suit. He told the township to take the bus, and he would be willing to pay \$50 on the sign permit. He is also willing to modify the fence per the zoning code. He also protested that the first January meeting had been changed to January 6.

## **Fence Dispute**

Neighbors Danny Browning and Jim & Donna Burnette were present to discuss a fence dispute. Assistant Prosecutor Bruce McGary told them the fence line law was changed in September, 2008. Even though the trustees had viewed the scene, he recommended that the hearing that was planned for this evening be postponed in order to make sure the trustees do some things that are required to properly handle this matter per the new code requirements. He has received a copy of the letter that Mr. Browning sent to the Burnettes. He explained to both parties what would happen if they took it before the Board of Trustees and what authority they would have in the matter. An option for Mr. Browning would be to hire a lawyer and go straight to the court of common pleas. There are many steps to be followed and in the end the Trustees would determine if there is some shared responsibility for the fence and then determine the equitable assignment of responsibility.

He stated in his opinion, the first thing to be done is determine who is responsible for the fence and then it must be determined if the fence would enhance the value of the property. Mr. McGary continued to go over the requirements of the new fence law and the options available to Mr. Browning. He suggested the wisest thing would be for Mr. Browning to hire an attorney and go to court where there would be experts in handling

the procedures. Mr. Browning does not want to get a lawyer and prefers to let the Trustees handle the matter.

At this point, Kirk Ramsey asked the two parties if they thought they could meet and settle the matter without taking it any further. They agreed to meet and try to work it out.

### **Fire Department**

Bill Harrison presented the HazMat “COG” (council of governments) Agreement with the Greater Cincinnati HazMat for the provision of qualified personnel and equipment for the response to a chemical emergency. Warren County has agreed to pay the approximate \$37,000 annual membership cost from their emergency services budget. Dick Kilburn made a motion to pass *Resolution 09-0127 to approve the President of the Board of Trustees to sign the agreement to accept the COG agreement and by-laws in order to participate in the Greater Cincinnati HazMat Response program for a period of at least 1 year. It is noted in the agreement that either party can may terminate this agreement without cause with thirty days written notice to the other parties.*

Dick Dare seconded the motion. Vote:        Kilburn, yea        Dare, yea        Ramsey, yea

Bill then presented the Fire Department budgets as estimated through 2012.

Ralph Blanton told the board that he had talked to Barney Wright at Lebanon Citizens Bank regarding the sale of notes for the construction of the new fire house. He said the best they could do was 6%. He also talked to Brenda Wehmer at Peck Shaffer & Williams to see what they should borrow. They came up with the figure of \$2.45 million for a 25 period at 6%.

Kirk Ramsey made a motion to pass a resolution to proceed with the necessary paperwork for the loan. Dick Kilburn seconded the motion. Vote:    Ramsey, yea    Kilburn, yea    Dare, yea

Ralph also presented a very gracious letter from Clint Brown thanking the department for their help with his burning house. He singled out Assistant Chief Harrison for the extra time he took to answer his questions, offer advice and just be there. He was just very appreciative of what the fire department does every day for the community.

### **Zoning**

Mike Kassalen turned in the first building permit of 2009.

He also has written up a list of some things for the prospective bidders to look for in cleaning up the Lynch property. Mr. Lynch requested a copy of this list. The bids are due by February 10, 2009.

Lee Short told the board he would be out of town for a while and would be unavailable for zoning matters.

Dick Kilburn mentioned the street light that is out at Pinecrest. There are also lights out at Halls Creek and Waynesville Roads. Bill Harrison said he would call CG&E and have them fixed.

### **Fiscal Business**

Debbie requested approval of the Permanent Appropriations for Fiscal Year 2009 as follows:

|                        |               |
|------------------------|---------------|
| General Fund           | \$ 773,508.29 |
| Motor Vehicle Fund     | 59,710.71     |
| Gasoline Fund          | 232,654.30    |
| Road & Bridge Fund     | 293,153.13    |
| Cemetery Fund          | 69,827.49     |
| Cemetery Bequest Fund  | 3,856.96      |
| Lighting District Fund | 5,693.96      |
| Fire District Fund     | 735,609.63    |
| Zoning Fund            | 6,758.29      |
| Ambulance Fund         | 211,009.47    |
| Fire Dept Levy Fund    | 2,943,208.90  |
| Bond Retirement Fund   | 85,400.00     |
| MV Permissive Tax Fund | 168,849.16    |

**Total Appropriations \$5,589,240.29**

Dick Dare made a motion to pass *Resolution09-0127A to approve the appropriations as presented by the Fiscal Officer to provide for the current expenses and expenditures of the Board of Trustees for the Fiscal Year ending December 31, 2009.* Kirk Ramsey seconded the motion.

Vote: Dare, yea Ramsey, yea Kilburn, yea

### **Approval to Pay Bills**

The fiscal officer presented checks #7387 - #7446, 99001-99003 which totaled \$63,910.20.

The board examined the bills that were ready for payment and Dick Dare made a motion to pay the bills as presented. Kirk Ramsey seconded the motion.

Vote: Dare, yea Ramsey, yea Kilburn, yea

### **Receipts**

For this reporting period the fiscal officer deposited receipts in the amount of \$23,784.66. This amount included receipts #6288 – #6306.

With no further business to come before the board, Dick Kilburn made a motion to adjourn the meeting at 8:30 P.M. Dick Dare seconded the motion.

Vote: Kilburn, yea Dare, yea Ramsey, yea