

April 22, 2009

The Madison Township Board of Trustees met this day in special session for the purpose of regular business at 6:30pm. The meeting was called to order with the Pledge of Allegiance, by the President, Alan Daniel.

ROLL CALL: Robert Ward-Present, Alan Daniel-Present, Dwight Walter-Present, Todd Farler- Present, Amy Schenck-Present.

ITEM 2009 - 051 - APPROVE MINUTES

Mr. Ward moved, Mr. Walter seconded to approve the minutes as presented. Vote: Ayes: Mr. Ward, Mr. Daniel. Abstain: Mr. Walter. Nays: None. The motion was declared approved.

PUBLIC COMMENTS

Resident, Bill Hickman commented on the recent article in the newspaper of public employees in Butler County that made over \$60,000 and the need to hold down salaries and he also commented on the increase in foreclosures in Butler County and Madison Township.

Resident, Connie Back asked if Middletown Germantown Road was a county or township road because her grandson bought a house there and is having trouble with drainage. Mr. Daniel said he would take a look at it and see what could be done to remedy the situation.

ITEM 2009 - 052 - APPROVE FISCAL OFFICER'S REPORT

The Fiscal Officer commented that the life squad billing had received more revenue than expected for the first quarter 2009. She provided information on the advance to the Gas Tax Fund and informed the trustees that the recent advances to the Road and Bridge Fund had been repaid. The March end of the month reports were presented. Mr. Walter moved, Mr. Ward seconded to approve the Fiscal Officer's report as presented. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

Fire Chief Kent Hall provided a report on incidents by zone. He reported that the department recently took part in extrication training, and that the "Prom-Mock Crash" would be Thursday, April 23 at 1:30pm at the High School. He reminded the trustees that it was F.D.I.C. week and that Jon Bolen and Rife Denlinger were taking part in those classes. He reported that the supplies and the labor had been donated to repaint the new truck from Liberty Township.

Mr. Ward asked about the recent call from dispatch. Chief Hall explained that the tones dropped and a call came from dispatch asking a fire officer to call dispatch. Chief Hall called dispatch and the call was for a cat up a tree. Chief Hall explained that the department doesn't respond to rescuing cats from trees, and that there was no actual call only a request for personnel to call dispatch. There was discussion. Six firemen did respond to the dropped tones and there was discussion about whether or not they were eligible for compensation; Chief Hall restated that there was no call; therefore; they would not be eligible for compensation. Fireman, Rob Beckett provided additional information. There was discussion about other calls for animal rescue.

Deputy Kent Hall did not have written report from the Sheriff's Office but reported that the recent rash of car burglaries had slowed down.

April 22, 2009

On behalf of the Board of Trustees

Madison Township, Butler County, Ohio

Todd Farler – Administrator

Date

On behalf of MSC

Madison Sports Club

President of MSC

Date

Treasurer of MSC

Date

There was discussion about the driving range nets that were down that needed to be replaced. There was discussion about safety at the park and about a possible curfew. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 061 - ACCEPT M & M LAWN CARE AS GRASS CONTRACTOR FOR 2009

Mr. Ward moved, Mr. Walter seconded to accept M & M Lawn Care as the lawn service and debris removal contractor for 2009. Mr. Farler provided additional information. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

Discussion Items

Mr. Farler provided information about muralist, Eric Henn decorating the exterior of the South Fire Station 1. The general design, scope and the approximate cost of \$7,500 for the project was discussed and the trustees agreed to move forward on the project.

Announcements

Mr. Farler provided information about the recent grant award and the donations made through the life squad membership drive to purchase a new heart defibrillator for the life squad.

ITEM 2009 - 062 - PURCHASE OF BIPHASIC LIFEPAK 12 HEART DEFRILLATOR

Mr. Farler provided information about the recent grant award and the donations made through the life squad membership drive to purchase a new heart defibrillator for the life squad. Mr. Daniel moved, Mr. Ward seconded to approve the purchase of a Biphasic LifePak 12 heart defibrillator for approximately \$14,588.62. Vote: Ayes: Mr. Ward, Mr. Daniel. Nays: None. The motion was declared approved.

April 22, 2009

- b. The Township will maintain all driveways and parking spaces inside the park and provide for all grass cutting and maintenance of the park, exclusive of the baseball infields and outfields.
- c. MSC will provide for the financing and construction of the baseball fields and facilities.
- d. The park, inclusive of all land and any and all real property improvements, solely remain the property of the Township.
- e. Any signage must first be approved by the Township.
- f. MSC will maintain all fields on a weekly basis, insuring general maintenance of the facilities, clean up, and garbage removal from the fields.
- g. The following rules apply to all participants and guest inside Madison Township Community Park:
 - There shall be no profanity used on park grounds.
 - There shall be no alcohol permitted on park grounds.
 - There shall be no littering on park grounds.
 - All organizations using the park shall clean their areas.

1. Usage –

- a. This agreement allows MSC specific field usage rights of Tuesday, Wednesday, and Friday's from 4:00 pm till 8:00 pm until July 31st, 2009, along with two weekend tournaments.
- b. All scheduling of practices, games, and field usage are the sole responsibility of MSC.

1. Liability Insurance – MSC agrees to provide to the Township, prior to the execution of this Agreement, One Million Dollars (\$1,000,000) of liability insurance, naming the Township as an additional insurer, to fully and adequately protect the Township from claims caused by any actions of MSC, it's participants, officers, personnel, or its affiliates, at all times that MSC may be utilizing the premises. A copy of this certificate must be in effect at all times and kept on file with the Township.
2. Termination – The Township may terminate this agreement at any time for due cause, breach of contract, or as deemed necessary by the Board of Trustees. Upon termination, all real property and permanent fixtures become the sole property of the Township.
3. Entire Agreement – All parties acknowledge and agree that this contract constitutes their entire agreement and that no oral or implied agreements exist.
4. Severability – In the event that any portion of the agreement shall be found to be inconsistent with law or otherwise unenforceable, the remainder of the agreement shall remain unaffected and in continuing effect.

April 22, 2009

ITEM 2009 - 057 - APPROVE RENEWAL WITH THE HYLANT GROUP/ THE OHIO PLAN

Mr. Walter moved, Mr. Ward seconded to approve the renewal of the Hylant Group as the township property and casualty broker, utilizing the Ohio Plan for a one year period from April 2, 2009 to April 2, 2010 at a cost of \$18,256. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 058 - AMEND CEMETERY RATE

Mr. Farler provided information that recently there was a request to have a grave open/close at 7:30pm; the late hours would require township equipment operators to work overtime. This amendment would make the Monday through Friday evening rate the same as the weekend rate to cover these costs. Mr. Ward moved, Mr. Walter seconded to amend the cemetery rates to Grave Opening/Closing Monday-Friday after 2:00pm and Saturday, Sunday & holidays- \$800.00. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 059 - APPROVE FIREMEN

Mr. Walter moved, Mr. Ward seconded to approve Matt Spears & Josh Goodwin as volunteer firemen. Chief Hall explained that both were cross trained as EMT's and firemen. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 060 - APPROVE AGREEMENT WITH MSC

Mr. Walter moved, Mr. Ward seconded to approve the Township Administrator to enter into the following agreement with the Madison Sports Club.

Agreement between the Madison Township Board of Trustees and the Madison Sports Club

In consideration of the authorizing of the **Madison Spots Club (MSC)** to construct, maintain, and have limited field rights to the baseball fields inside the Madison Township Community Park, located adjacent to 5610 West Alexandria Rd. in Madison Township, both of which are solely owned by the **Madison Township Board of Trustees** (Township), the use of this baseball facility for the calendar year 2009, based upon the following criteria being met and maintained for the duration of this contract:

1. Purpose – The parties of this agreement desire to develop, construct, maintain, manage, and use two baseball fields and facilities (infields, outfields, fencing, dug outs, and associated equipment) located inside the Madison Township Community Park. Upon breach of contract by either party, this contract becomes null and void as permissible by law.
2. Decision Making and Control – The Township seeks to allow MSC decision making of its own organization, representatives, players, and schedules. The Township will always have final authority and decision making control for any event, construction, use of, or improvements pertaining to the park or any of its facilities. Any and all improvements, building, modifications, alterations, or changes must first be authorized by the Township.
3. Amendments – This Agreement may be amended by mutual agreement only between the Township and MSC, and be in signed documentation by both parties.
4. Responsibilities and Privileges of the Parties –
 - a. The Township shall set aside suitable and sufficient land for the construction of two baseball fields and facilities.

April 22, 2009

Road Superintendent Todd Daniel was not at the meeting but Mr. Farler informed the trustees that the crew had been using the new crack filler and were very impressed with the product. There was discussion about increasing the life of the roads and how many other jurisdictions in our area that use the product. The recent project on Emerson road was also mentioned.

OLD BUSINESS

Mr. Ward asked about the progress of the houses scheduled to be demolished. Mr. Farler reported that the house on Elk Creek that was being torn down by the property owner and only rubble was left to be cleaned up. The house on West Alexandria will be torn down by the County through the Neighborhood Stabilization Program. Mr. Ward asked Mr. Farler to try to get a date for demo from the County. Resident, Connie Back reported that the house on the corner of Kalbfleisch and Dickey was being vandalized and was in really bad shape.

Mr. Ward asked about the junk properties and Mr. Farler provided an update and discussed the progress of the particular nuisance properties.

ITEM 2009 - 053 - APPROVE ADVANCES

Mr. Ward moved, Mr. Walter seconded to approve the following necessary advances, to be repaid as soon as funds become available, before December 31, 2009:

1000 General Fund to 2021 Gas Tax Fund \$8,000

Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 054 - APPROVE BILLS

Mr. Ward moved, Mr. Walter seconded to approve the bills for this period of \$159,554.60 warrant #22013-22187. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 055 - APPROVE ROAD/ SIGN CHECK AND FORWARD TO B.C. ENGINEER

Mr. Walter moved, Mr. Ward seconded to approve the road/ sign check for April and submit the report to the Butler County Engineer's Office.

Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

ITEM 2009 - 056 - APPROVE NEW CONTRACT WITH BURNHAM & FLOWER

Mr. Farler provided information about the proposed health insurance plan and the cost savings to the township. Mr. Ward asked if he had checked into a health savings account plan and there was discussion about the difficulties with having such a small group and needing a third party administrator. Mr. Ward was going to find out more about the administration of a HSA plan. Mr. Walter moved, Mr. Ward seconded to approve a new contract with Burnham and Flower Insurance Group, selecting Aetna Choice 2500 POS Open Access, for the Madison Townships Health Plan Insurance at a cost of approximately \$4,455.00 a month. Vote: Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved.

April 22, 2009

Mr. Farler reminded the trustees that the BCTA meeting was at Wayne Township on May 14th at 7:00pm. He also provided information about the annual "Clean Sweep of the Great Miami River" event May 2nd, from 8am to noon. He informed the trustees that the community survey will be mailed out in the next few weeks and the newsletter will be out Mid May.

Amy Schenck provided information about the community blood drive May 9th at the Springfest event.


ITEM 2009 - 063 - ADJOURNMENT

Mr. Walter moved, Mr. Ward seconded to adjourn.

Ayes: Mr. Ward, Mr. Walter, Mr. Daniel. Nays: None. The motion was declared approved and the meeting was closed at 8:12pm.



Attest Fiscal Officer



Signed - President