

August 04, 2010

Held

20

The special meeting was called to order at 08:20 A.M. by Mr. Benson and was attended by Trustees Randy R. Benson, Benjamin F. DeGroat, Gregory A. Hanahan and Fiscal Officer Robert W. Rohrbach Jr. The meeting was also attended by Zoning Inspector Laurie Rohrbach, Police Chief William L. Wilcox and Road & Service Administrator Jeremy Holbrook.

The Germantown Press, Middletown Journal, and the Dayton Daily News were notified of this special meeting.

VISITORS – Dan Davis of 8320 Upper Miamisburg Rd.

NUISANCE ABATEMENT HEARINGS -

- I. Mrs. Rohrbach requested a Nuisance Abatement for the JPMC Specialty Mortgage LLC Property located at 11968 S. R. 725 Parcel ID D14-00804-0040.

Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to open a nuisance abatement hearing on the JPMC Specialty Mortgage LLC Property located at 11968 S. R. 725 Parcel ID D14-00804-0040. After discussion, all present voted in favor, MOTION passed.

Mr. Benson opened the hearing noting no one present to represent the JPMC Specialty Mortgage LLC property.

Mrs. Rohrbach was sworn in and noted that the owner has been notified by certified letter, all legal advertisement have been completed, and she presented the basics of the case. She explained that the property appeared to be abandoned with tall grass, bushes, debris, and garbage in the front, rear and side yards. She presented pictures of the property.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to close the nuisance abatement hearing. After discussion, all present voted in favor, MOTION passed.

The Board discussed the information provided during the hearing and Mr. Hanahan introduce **RESOLUTION 2010-33**, seconded by Mr. DeGroat to declare the JPMC Specialty Mortgage LLC Property located at 11968 S. R. 725 Parcel ID D14-00804-0040; a nuisance and to order abatement within 7 days of receiving this notice; or the Township will hire a contractor to abate the property with the cost to be placed on the tax duplicate of the property. After discussion, the adoption vote was as follows, Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes, RESOLUTION 2010-33, passed.

- II. Mrs. Rohrbach requested a Nuisance Abatement for the Citimortgage Inc. property located at 11967 S. R. 725 Parcel ID D14-00804-0041.

Mr. Benson introduced a **MOTION**, seconded by Mr.

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Hanahan, to open a nuisance abatement hearing on the Citimortgage Inc. property located at 11967 S. R. 725 Parcel ID D14-00804-0041. After discussion, all present voted in favor, MOTION passed.

Mr. Benson opened the hearing noting no one present to represent the Citimortgage Inc. property.

Mrs. Rohrbach was sworn in and noted that the owner has been notified by certified letter, all legal advertisement have been completed, and she presented the basics of the case. She explained that the property appeared to be abandoned with tall grass, bushes, debris, and garbage in the front, rear and side yards. She presented pictures of the property.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to close the nuisance abatement hearing. After discussion, all present voted in favor, MOTION passed.

The Board discussed the information provided during the hearing and Mr. DeGroat introduce **RESOLUTION 2010-34**, seconded by Mr. Hanahan to declare the Citimortgage Inc. property located at 11967 S. R. 725 Parcel ID D14-00804-0041; a nuisance and to order abatement within 7 days of receiving this notice; or the Township will hire a contractor to abate the property with the cost to be placed on the tax duplicate of the property. After discussion, the adoption vote was as follows, Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes, RESOLUTION 2010-34, passed.

- III. Mrs. Rohrbach requested a Nuisance Abatement for the Davis property located at 8320 Upper Miamisburg Rd., Parcel ID D18-00704-0003.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan, to open a nuisance abatement hearing on the Davis property located at 8320 Upper Miamisburg Rd., Parcel ID D18-00704-0003. After discussion, all present voted in favor, MOTION passed.

Mr. Benson opened the hearing noting Mr. Dan Davis is present to represent the Davis property.

Mrs. Rohrbach was sworn in and noted that the owner has been notified by certified letter, all legal advertisement have been completed, and she presented the basics of the case. She explained that the property appeared to be occupied with tall grass, bushes, and debris in the front, rear and side yards. She presented pictures of the property. She further noted that Mr. Davis had abated the issues noted, except for the vegetation around the house, but that the vegetation had been sprayed and was dying, but not yet removed. She recommended that this property not be declared a nuisance at this time as the issues have been abated.

Mr. Davis was sworn in and stated he had abated all the issue made known to him. He had sprayed the vegetation that was dying and will tiller it under once it has died.

Mr. Hanahan introduced a **MOTION**, seconded by Mr.

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DeGroat, to close the nuisance abatement hearing. After discussion, all present voted in favor, MOTION passed.

The Board discussed the information provided during the hearing and Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, **NOT** to declare the Davis property located at 8320 Upper Miamisburg Rd., Parcel ID D18-00704-0003; a nuisance. After discussion, all present voted in favor, MOTION passed.

ROAD –

I. Mr. Holbrook reported on the Puddenbag Road paving issue. Barrett Paving stated they will correct the issue, even if the current pavement must be removed and replaced. Mr. Holbrook will draft a letter to memorialize the issue and solutions.

II. Mr. Holbrook requested that the Rosco Asphaltite Patcher be declared surplus and authorize the trade of the equipment to Ray Hensley, Inc. for \$4,000 worth of chip seal work.

Mr. Hanahan introduced **RESOLUTION 2010-35**, seconded by Mr. DeGroat, to declare the Rosco Asphaltite Patcher surplus and authorize the trade of the equipment to Ray Hensley, Inc. for \$4,000 worth of chip seal work. After discussion the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes. **RESOLUTION 2010-35** passed.

III. Mr. Holbrook requested a resolution to contract with Ray Hensley, Inc. to provide \$15,000 worth of chip seal on Harris and Kiefer Roads.

Mr. DeGroat introduced **RESOLUTION 2010-36**, seconded by Mr. Hanahan, to contract with Ray Hensley, Inc. to provide \$15,000 worth of chip seal on Harris and Kiefer Roads. After discussion the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes. **RESOLUTION 2010-36** passed.

IV. Mr. Holbrook requested a resolution to authorize Trustee DeGroat to apply for Issue II funding for Friend Road Phase 1c.

Mr. Hanahan introduced **RESOLUTION 2010-37**, seconded by Mr. Benson, to authorize Trustee DeGroat to apply for Issue II funding for Friend Road Phase 1c. After discussion the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes. **RESOLUTION 2010-37** passed.

V. Mr. Holbrook requested a resolution to authorize Trustee DeGroat to apply for Issue II funding for Eckhart Road Phase 2.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Mr. Hanahan introduced **RESOLUTION 2010-38**, seconded by Mr.

DeGroat, to authorize Trustee DeGroat to apply for Issue II funding for Eckhart Road Phase 2. After discussion the adoption vote was as follows:

Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes.

RESOLUTION 2010-38 passed.

OLD BUSINESS –

I. Mr. DeGroat updated the Board on the Western Regional Council of Governments trash contract. Rumpke will not take over until the end of September. He will check with WRGC regarding any additional resolutions needed for the new extension of the Allied Waste contract.

II. Mr. DeGroat opened a discussion on a Bowman/Baker fence line issue that will be presented at the next regular meeting. Mrs. Rohrbach provided the Board with the OTA fence information and applicable ORC sections.

III. Mr. Rohrbach reported that the Thompson lawsuit has been settled. Cemetery deeds are being prepared today.

The meeting was adjourned at 9:10 AM.

Signed: Randy R. Benson

Attest: 