

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Wednesday November 3, 2021 of the Colerain Township Board of Supervisors was called to order by Chairman, Scott E. Shoemaker with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Scott E. Shoemaker, Samuel R. Reinhart and Robin Church. Carmen B. Wiker, Secretary was also present. A listing of others in attendance will be kept on file.

As per the revision to the Sunshine Law dated 12/98, the audience was advised that the agenda was available to them. Each agenda item will be introduced, motioned and seconded by the Supervisor(s), item will be opened for discussion for the board, and then the audience, and then a vote called for by the Chairman. The Chairman will again ask for any comments the audience may have at the end of the meeting.

At this time Scott Kulicke wished to bring to the Board’s attention a motion that was made at the May 19, 2021 Supervisors meeting which stated that a Court Reporter be in attendance at any meeting where legal representation is present. The Township Solicitor Eric Frey was in attendance for the November 3, 2021 meeting. The Secretary mentioned that she thought this had been changed. Scott Kulicke gave a brief explanation as to how the motion came about. It was decided that all Minutes from May 19th to present should be researched for such a decision. If the motion is not found then the Board could rescind the May 19, 2021 motion if they so wish due to the expense related. Eric Frey also mentioned that the public could record audio and/or video of the public meetings as long as they did not interfere with the meeting. The October 26th meeting minutes were addressed before this discussion.

Minutes of the Regular Monthly Meeting Wednesday October 20, 2021 were approved as written.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the October 20, 2021 Minutes. Scott called for the vote – All voted “Aye” – motion carried.

Scott Kulicke asked if there were any Executive Sessions held since the last meeting. They let him know there were none.

Treasurer’s Reports

- Carmen Wiker read the Treasurer’s Reports.

A motion was made by Samuel R. Reinhart and seconded by Scott E. Shoemaker to approve the Treasurer’s Reports. Scott called for the vote – All voted “Aye” – motion carried.

Unpaid Bills- General Fund

The Bills on Hand were reviewed.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve paying bill totaling \$ 9,893.83. Scott called for the vote – All voted “Aye” – motion carried.

At this time Teresa Dolan of the Solanco Food Bank gave a presentation; she brought a rendering of the new building they bought and proposed improvements. She also explained all of the services they offer beyond emergency food distribution such as budgeting, preventing eviction, pastoring, how to file for unemployment, how to fill out a resume and many more. She also explained the difficulties that COVID brought in 2020.

Public Comment

- Ryan Owen commented that the Board needs to provide a better PA System. Sam explained that one has been ordered.

Tax Collector

- Judy Beiler reported a total of \$ 2,393.38

Zoning Officer

- Joe Chrisman reported a total of \$ 2,031.90

Sewage Enforcement

- Marv Stoner reported a total of \$ 50.00

Storm Water

- Carmen Wiker reported a total of \$ 150.00 for application fees.

SALDO

- Carmen Wiker reported \$ 300.00 for application fees.

Co-Op's

- The Crack Seal Treasurer's Report was read

Road Master

- There was no Road Master report

Emergency Management

- Nothing to report

Colerain Township Planning Commission

- Minutes: The October Minutes were reviewed. Sam Reinhart was present at this meeting and he questioned the motion as he did not hear a roll call vote. Scott Kulicke disagreed as no member was in opposition of the motion so therefore, he considered it to be unanimous. The motion in question was one to recommend the Supervisors deny the Delmar Sensenig Plan because of Section 401D in the Storm Water Ordinance.

Storm Water

- Delmar Sensenig for 270 Cooper Drive- Consideration of a request for Waiver of Land Development associated with his Storm Water Plan. Delmar's plan expires 12-27-21. Mr. Sensenig submitted this plan in July and it went through the review process with a clean letter from the Township Engineer Jack Seber only to discover that a Minor Land Development Plan should have been submitted as well. Discussion ensued on the best way to move forward. The Planning Commission voted to deny the plan altogether and have Mr. Sensenig submit a new Storm Water/Land Development Combination Plan at their October 26, 2021 meeting.

At this time, Eric Frey let Scott Kulicke know that Mr. Sensenig's attorney wrote a letter complaining about how the Township has handled Mr. Sensenig's submission and also a claim that Scott Kulicke has a conflict with this plan and should recuse himself from voting on the Planning Commission.

Scott Kulicke admitted to publicly protesting against the Pig Nursery but explained he had talked to Marty Greenleaf, Planning Commission Chairman about this and was advised that it was not a conflict. There was also discussion between Marty and Scott on this subject pertaining to the Peifer Duck House. Scott mentioned that it would be good to have some legal counsel available for the Planning Commission.

Public Comments on Delmar Sensenig Storm Water Plan

- Scott Kulicke expressed concern over the change of the 90-day deadline expiration. Eric Frey explained that his new 90-day kicked in after his plan revision was reviewed at the September Planning Commission Meeting.
- Eric Frey explained that after speaking to Lisa D'Andrea Township Engineer, they both agreed to recommend that the Board not approve the Waiver of Land Development but if they so choose, they could approve the Storm Water Plan conditional on Land Development approval.
- Scott Kulicke expressed concern that approving the Storm Water now would not be following the letter of the law, that it is the applicants' duty to research what approvals would be needed for a submission, concern over approving too many waivers, and question over an email from Eric Frey to Marty Greenleaf advising him how to state a recommendation for Storm Water approval if the Planning Commission would so choose.
- Cameron Renehan explained that he believed the Township had a history of recording similar plans without asking for Land Development.
- Eric Frey explained certain waivers and the process.

- Sara Hodgkiss questioned how the Storm Water Plan could be approved without the NPDES permit being completed. Eric explained this permitting and submittal process.

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A motion was made by Samuel R. Reinhart and seconded by Robin Church. to approve the Storm Water Plan of Delmar Sensenig for the property located at 270 Cooper Drive conditioned on any Land Development approval of the project and, if any changes are made to the Storm Water Plans during the Land Development approval process, this approval shall be amended to approve such changes at that time. Scott called for the vote – All voted “Aye” – motion carried.

- Storm Water Agreement for David Esh for 6100 Street Road. Need a motion to approve this Agreement.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Storm Water Agreement for David Esh. Scott called for the vote – All voted “Aye” – motion carried.

Upcoming Zoning Hearings- None for November

Next meeting for the Supervisors, Wednesday November 17, 2021 at 7:00 P.M.

Old Business

- Approve purchasing a new security camera for the park in the amount of \$ 1,250.00.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve purchasing a new camera system.

Public Comment

- Residents John Lear and Tom Bulthaupt questioned spending that amount of money on a camera system. They mentioned that a game camera may work as well and only cost around \$ 100.00. The Board agreed to try it out.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to rescind the motion to approve purchasing the camera. Scott called for the vote – All voted “Aye” – motion carried.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to purchase a Spypoint Game Camera. Scott called for the vote – All voted “Aye” – motion carried.

Budget 2022

- The Secretary made mention of increasing the Earned Income Tax due to information from the LCTCB in regards to growth in Colerain. Also, the Park Pavilion will need a new roof and that will come in at around \$ 9,500.00. Still waiting for some numbers from the Road Master. The proposed budget will be adopted at the November 17, 2021 Supervisors meeting.

Public Comment

- Scott Kulicke asked what line 400 was, The Secretary explained it was for any expenses related to Supervisors.
- Tammy Rineer asked about the park expense and budget numbers.
- Scott Kulicke mentioned that the line item for Solicitor had not been increased since the last budget meeting. Did that mean the Supervisors have no intention of spending money in the defense of those opposed to the Duck House. Eric explained that that line item was in the Budget before the appeal was filed and that prior years' budget included amounts for prior litigation and appeals.

New Business

- Accept Tyler McCardell's resignation as Auditor effective June 1, 2021.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to accept the resignation of Tyler McCardell effective June 1, 2021. Scott called for the vote – All voted “Aye” – motion carried.

- Appoint Susan Ryan as Auditor; Susan can serve until January 3, 2021. Whoever won the write-in position will take over in January.

There was a discussion on write-ins for Auditor and how the process works, Susan will act as Auditor and fill in Tyler's position until the end of the year.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to appoint Susan Ryan as Auditor. Scott called for the vote – All voted “Aye” – motion carried.

- Gina and Jim Neary, residents at 212 Spruce Grove Road wished to address the Board with concerns over the proposed Chester Water Sale to Aqua. The Neary's live at and run the Boat Ramp which is owned by the CWA currently. Gina is requesting that the Board look into the current laws and Ordinances and get back to her on what can be done now to protect what may happen if Aqua would do as is their practice of fencing off, closing down and selling off. Currently CWA owns app. 786 acres in Colerain and almost all of it is in the Conservation District.

- Sam Reinhart explained what is currently allowed in this Zone but agreed that the Zoning Ordinance needs to be looked at and beefed up in order to protect this acreage.

Any Other Business

- Frederick Way- Scott Kulicke asked if there were any updates. Scott Shoemaker let him know that the Township is still working on the best and most affordable options.
- Peifer Duck House- This was more like a question- and answer session between Scott Kulicke and Eric Frey. Items discussed were- In what way and how vigorously the Township will support the Zoning Hearing Board and the neighbors, the CWA filing a Notice of Intervention, the appeal process and how it works in relation to exhibits, how the court may respond to the appeal such as a negotiated settlement, the fact that the public may choose to hire an attorney at their own cost, would the Township support the neighbors if they filed and the feeling from Scott Kulicke and other residents that Mr. Goodman has no credibility, who gives the court all relevant documents, what documents will be available under the Right-to-Know Law, and the status of a Right-to-Know request made by Scott Kulicke.
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Adjournment

- *There being no further business to be brought before the board, the board, on motion by Samuel R. Reinhart and seconded by Robin Church agreed to adjourn at 8:39 P.M. Scott called for a vote – all voted ‘aye’ – motion carried.*

Respectfully Submitted,

Carmen B. Wiker, Secretary