

**Record of Proceedings: June 10, 2014**  
**West Chester Township Board of Trustees - Regular Meeting**

Convene: President Lang convened the meeting at 6:00 p.m.

Roll Call: Mr. Lang, Mr. Welch, and Mr. Wong responded.

Pledge of Allegiance: Lead by Jan Kesselring from Butler Tech and repeated by those present.

Citizen's Comments

Maxine Thomas, 6873 Stonewood Court, said she has a neighbor that has never made any improvements to their property and she'll soon be filing a formal complaint regarding the height of the grass. She also noted that the vents for their garage and house no longer exist and animals are getting inside the structure. She was informed that West Chester does not have a "maintenance violation code" to address this situation and she was speaking because she needed to request one from the Trustees.

Presentations

Charles Young, Butler County Administrator, and Bob Leventry, Director of Butler County Water & Sewer Department, gave a presentation on the Butler County Water and Sewer Operational Overview and Costs Impacting Water Rates. Mr. Young began by recognizing that he and Mr. Leventry addressed the Board last July. He said there were concerns about the long term availability of water, costs to West Chester, rate increases, and so on. He said they have since negotiated with the city of Hamilton and developed a water settlement agreement that he believes is good for all parties. He then introduced Mr. Leventry.

Mr. Leventry then read the attached PowerPoint presentation.

Mr. Lang expressed his appreciation for the effort and initiative by Commissioner Don Dixon and Administrator Charles Young, praised their success in reducing costs in the Butler County since 2008, and observed that West Chester residents and businesses should realize about \$15 million in long term savings. Mr. Welch said the savings should help businesses. Mr. Welch and Mrs. Boyko then asked several questions of Mr. Leventry and Mr. Young. Mr. Young commented that Butler County currently has a contract with Hamilton for 8 million gallons a day and a contract with Cincinnati for 6 million gallons per day, and Butler County's commitment will drop in 2025 from 14 million gallons daily to 12 million gallons because they will no longer have a minimum commitment to Cincinnati. He also said the contract with Hamilton is that Hamilton will be Butler County's sole supplier, though an emergency connection will be maintained with Cincinnati.

Action Items – For Approval by Motion

**MOTION** made by Mr. Welch, seconded by Mr. Wong, to approve the Trustee Special Meeting Minutes of March 4, 2014. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mr. Wong, to approve the Trustee Meeting Minutes of May 27, 2014. Discussion: none. **Motion carried unanimously.**

**MOTION** made by Mr. Welch, seconded by Mr. Wong, to approve payment of bills.  
Discussion: none. **Motion carried unanimously.**

Requisitions – Greater than \$2,500.00

Mrs. Boyko submitted the following requisitions greater than \$2,500:

1. Adm      \$149,979.04 Intergraph Security, Government & Infrastructure – Renew annual license and support for public safety system and software applications
2. Adm      \$5,254.98 Frost Brown Todd LLC – Legal services through April 30, 2014 (various departments)
3. Fire      \$11,320.00 Butler County Engineer's Office – Purchase traffic pre-emption control box
4. Police    \$207,516.00 Kings Ford – Purchase eight (8) 2015 police vehicles (CIP #928)
5. Police    \$86,946.78 Camp Safety Equipment Co. – Purchase equipment for 2015 police vehicles (CIP #928)
6. Police    \$3,110.25 Butler County Prosecutor's Office – Distribute seized funds per court order
7. Services    \$16,450.00 Kaffenbarger Truck Equipment Co – Repair rusted bed on 2001 International truck, #7 – (CIP #1149)
8. Services    \$3,987.00 Mills Fence Company, Inc. – Purchase and install fence around recycling area at Beckett Park (CIP #1158)

**MOTION** made by Mr. Welch, seconded by Mr. Wong, to approve payment of requisitions 1 through 8. Discussion: Regarding item #3, Mr. Lang recalled that the control box had been damaged in an automobile accident. He asked Mrs. Boyko if they had recourse in recouping the cost associated with item #3. Mrs. Boyko confirmed that the control box was in fact damaged in an accident, the Township will pursue reimbursement for the cost of the control box, however they will now add a pre-emption device that previously was not a part of the traffic signal.  
**Motion carried unanimously.**

Personnel Items

**MOTION** read by Mrs. Boyko and made by Mr. Wong, seconded by Mr. Welch, to hire four (4) part-time Firefighter/EMTs to fill vacant positions effective June 20, 2014, all at the hourly rate of \$15.92 with a one year probationary period and contingent upon successful completion of applicable testing and procedures: Jacob Irving, Sean McAllister, Tyler Hicks and Matthew Hood Discussion: none. **Motion carried unanimously.**

Mrs. Boyko introduced the next item by noting that Acting Police Chief Kelly had determined for personal reasons that he did not want to pursue the role of Police Chief, a position previously vacated by the decision of former Police Chief Niehaus to pursue a legal career. She asked that Captain Kelly be compensated in his capacity of Acting Police Chief. Mrs. Boyko also observed that the search for a new Police Chief could take 4 to 5 months.

**MOTION** read by Mrs. Boyko and made by Mr. Wong, seconded by Mr. Welch, to amend the current employment agreement for the re-employment of Assistant Police Chief David Kelly to increase salary on a temporary basis and retroactive to the first full pay period of May 2014 to \$100,039 until the Chief of Police position is filled and Mr. Kelly's assignment to Acting Police Chief is concluded. Discussion: Mr. Wong asked Mrs. Boyko to clarify the term of the temporary salary increase and its relationship to his employment agreement. Mrs. Boyko said the agreement would only be amended until such time that a new Police Chief was appointed. Mr. Lang praised Captain Kelly for his ability to serve in this capacity. **Motion carried unanimously.**

#### Business Items

**MOTION** read by Mr. Lang and made by Mr. Wong that, having reviewed the staff report and affidavit, we declare the properties listed on the West Chester Township Board of Trustees meeting agenda dated June 10, 2014 to be public nuisances as authorized by the Ohio Revised Code.

Staff is directed to cause removal of the nuisances identified, and monitor these properties for 90 days to require continued compliance. An administrative charge of 25% shall be added to the contractor fee for these properties. Motion seconded by Mr. Welch. Discussion: none. (Fiscal Officer Note: The three subject properties were 9567 O'Leary Drive, 5479 Senour Drive, and 6917 Southampton Lane.) **Motion carried unanimously.**

Mrs. Boyko introduced the next item saying it fulfilled statutory requirements for the disposal of Township personal property.

**MOTION** read by Mrs. Boyko and made by Mr. Welch, seconded by Mr. Wong, to approve statutory Resolution No. 12-2014 finding one (1) 2005 Ford Expedition, two (2) 2006 Ford Expeditions, one (1) 2008 Ford Crown Victoria, and four (4) 2009 Ford Expeditions and existing equipment for each vehicle are not needed or are unfit for public use; and authorizing the sale of said vehicles and existing equipment to Camp Safety Equipment Company; and crediting the sale price of said vehicles and existing equipment to the purchase of additional necessary equipment and to the reinstallation of some existing equipment and graphics to completely equip eight (8) new police vehicles. Discussion: none. **Motion carried unanimously.**

#### First Reading of Resolutions & Reading of Emergency Resolutions

There were no first readings of resolutions or readings of emergency resolutions.

#### Citizen's Comments

Mark Morris, 8876 Eagleview Drive, referencing an article in the previous week's Pulse Journal, saying he appreciated the new "common sense" approach to zoning laws. He also said, given the expenditure of money on police vehicles, he hoped they would install dashboard cameras in them so as to avoid a repeat of the incident at Win, Place and Show.

Dan Meehan, 9412 Patti Circle, said he had a problem with the same newspaper article referenced by Mr. Morris. He said the zoning resolution was last reviewed in 2011 and was just

re-reviewed by a committee of which he was a member. He read portions of the zoning ordinance which he said have been in effect for years, and he disagrees with the assertions that they're now a problem. He took issue with the recent zoning change requiring that complaints include the name of the complainant. He said he contacted 30 communities and only 1 required a signed complaint. Mr. Meehan also commented that people have said we do not have enough staff to address zoning complaints, and then sited data provided by Fairfield indicating their two zoning inspectors addressed many more complaints and how they addressed them. He said he heard people say our zoning ordinance needs to be "user friendly", but questioned who makes that assertion. Mr. Meehan also took issue with the proposed change enabling trucks to park on residential streets.

Larry Brown, 5087 Parkridge Court – business located at 8191 Beckett Park Drive, expressed his concern with geese and geese excrement around West Chester. He hoped someone could address his concern.

#### Second Reading & Vote on Pending Resolutions & Vote on Emergency Resolutions

There were no second readings & vote on pending resolutions, or vote on emergency resolutions.

#### Discussion Items & Elected Official Comments

Mrs. Boyko commented on Capstone Boulevard, the proposed road upon which Butler Tech is to construct a new Bioscience facility, located next to the Lakota Lakes Apartments, across from Walmart on Cincinnati-Dayton Road. She said she had received a petition from Butler Tech that day requesting a special assessment for the purpose of financing a new road upon which they could construct their facility. The first phase entailed construction of a building approximating 50,000 sq. ft., and was to be completed August of 2015. The petition is for the modification of the driveway leading to Lakota Lakes Apartments as well as construction of a new driveway leading south westerly to the project site. Mrs. Boyko said the petition was filed pursuant Ohio statute, and requires a majority of the Board to pass enabling resolutions to declare the need for the road project, to pay for the road's construction, and to apply a special assessment to recoup costs. She also explained the Township would borrow to fund the roadway. Butler Tech would subsequently assume all costs associated with construction via a 10 year assessment, the limited amount of time permitted for borrowing for the construction of a roadway. Statute then requires that the Board walk the proposed roadway – "walk the line" - from commencement to termination within 30 days. There would subsequently be several enabling resolutions that the Board would need to pass, first declaring the necessity to build the roadway, and then create a public hearing process. The preliminary engineering estimate of construction cost for the roadway approximates \$2.5 million. She said there is no applicable TIF, therefore they would be borrowing against the General Fund. Mrs. Boyko then provided a June 16<sup>th</sup> date to "walk the line" if a majority of the Board was prepared to support the petition through assessment, and then want to process the declaration for the need of the road and actually construct the road. Mr. Lang, Mr. Wong, and Mr. Welch said they supported the petition and agreed to the proposed date.

Mrs. Boyko then invited a Butler Tech representative to address the Board. Jan Kesselring, representing Butler Tech, praised Mrs. Boyko for aiding in development of a timeline that would

enable an August, 2015 opening date. She explained that as many as 19 plots may be included in the easements, and explained the rollout to date by McGill Smith and Punshon. Thereupon she invited Chris Wunnenberg to address the Board.

Mr. Wunnenberg said they have communicated with all property owners and adjoining property owners, they were all cooperative, and they'll all sign the dedication plat. He concluded by saying the road would be appreciated by all the property owners.

Mrs. Boyko then asked the Board if they would like to conduct any kind of discussion or conversation on the proposed zoning text amendments, or not. Mr. Welch said he's been meeting with Mrs. Boyko and Mr. Juengling, and will have them communicate the answers to his questions as they're provided him.

Mrs. Boyko then began a brief discussion about geese, in response to Dr. Brown's Citizen Comment, saying they're pursuing limitation of the geese reproductive capability. She suggested Dr. Brown's leasing agent may need to take action as the matter as it pertains to his business is on private property. Mr. Lang commented the issue may also need to be pursued with the ODNR.

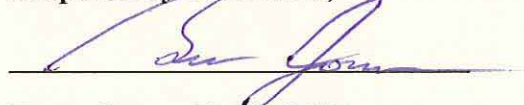
Mr. Wong expressed his appreciation for Mr. Meehan's comments, said our Township zoning laws were not any stricter than any other area community, and zoning laws protect people that do not live in an HOA. He expressed concern with unintended consequences.

Mr. Welch thanked Mr. Meehan and said every community needs zoning. It was just a matter of the amount of zoning. As a business owner he said he felt zoning could be an infringement on his rights, referring to signage. Mr. Welch said one party's rights ended once they encroach on someone else's rights. The intent was to be "business friendly" to preserve our tax base, noting businesses use about 40 cents on every dollar they pay in taxes, whereas homeowners use about \$1.40 of every dollar they pay in taxes. Mr. Lang said there have been numerous zoning resolutions passed in recent years that have been very restrictive, resulting in numerous complaints. He shared Mr. Wong's concern with unintended consequences, saying that however was the product of restrictive zoning. Mr. Lang also commented on the road proposed for Butler Tech saying it would open up 140 acres for future development, currently zoned agricultural, soon to be zoned business. He referenced Mr. Welch's comment about businesses taxes saying they help keep the tax rate low for residents.

#### Adjournment

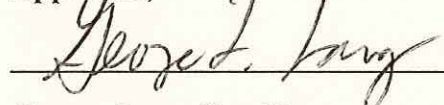
At 7:28 p.m. Mr. Lang asked for a motion to adjourn the Regular meeting and go into Executive Session with legal counsel for the purpose of considering and discussing (1) Personnel matters-discuss contract negotiations for a certain collective bargaining unit; Consideration of candidates for employment; (2) Acquisition, sale, or swap of real property, (3) Current and pending litigation. The Board would not return. Motion made by Mr. Wong, seconded by Mr. Welch. Discussion: none. **Motion carried unanimously.**

Respectfully Submitted,

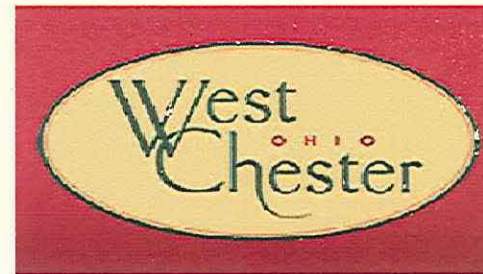
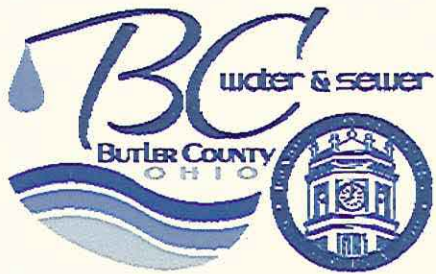


Bruce Jones, Fiscal Officer

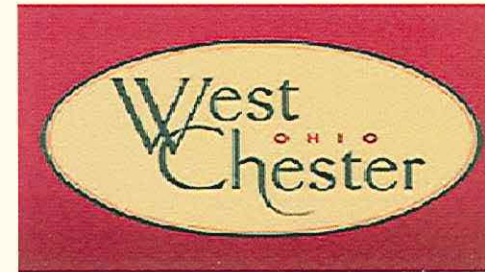
Approved,



George Lang, President



**Butler County Water & Sewer Department  
West Chester Township Water and Sewer Service  
June 10, 2014**



## What We Got?

- A water rate that is competitive and stable.
- A right to water supply capacity that provides all Butler County customers with guaranteed supply on an equal basis with the City.
- A long term agreement incorporating these principles as the basis for regional cooperation.



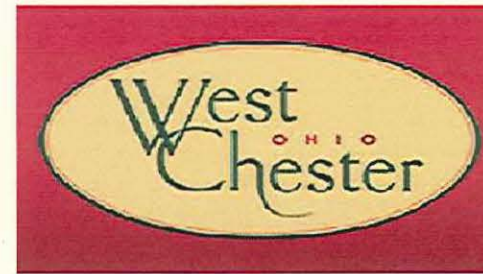
## Effect on Rates

- BCWS lowered rates in 2009 (5.5% residential and 24% industrial) and has not increased rates since. We will have afforded our customers flat rates over 10 years while Ohio's average water rates have increased as follows:

➤ 2009	5.2%
➤ 2010	3.9%
➤ 2011	5.2%
➤ 2012	3.4%

\*Source – Ohio EPA 2012 Sewer and Water Rate Study



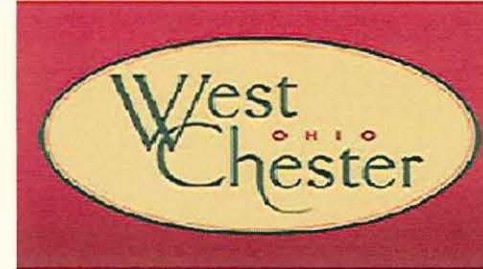


## Effect on Water Rates

- BCWS was facing a 15% water rate increase in 2014 under historical contracts.
- New contract provides rate constancy through 2018 and stability thereafter.
- No rate increases for at least the next 5 years.

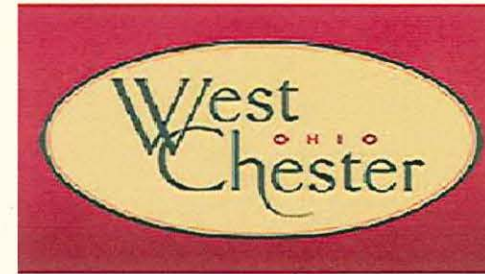
## Sewer Rates

- No rate increases for at least the next 5 years.



## Butler County Rank – Water Rates

- 2008 – 62nd out of 68 utilities
- 2014 – 42nd out of 66 utilities
- 2019 – 27th out of 66 utilities (Projected)



## Butler County Rank – Sewer Rates

- 2008 – 27th out of 63 utilities
- 2014 – 8th out of 63 utilities
- 2019 – 2nd out of 63 utilities (Projected)



## Butler County Rank – Water and Sewer Rates Combined

- 2008 – 54th out of 63 utilities
- 2014 – 14th out of 63 utilities
- 2019 – 8th out of 63 utilities (Projected)



**Butler County Water & Sewer Department**  
**West Chester Township Water and Sewer Service**  
**June 10, 2014**



## BCWS Overview

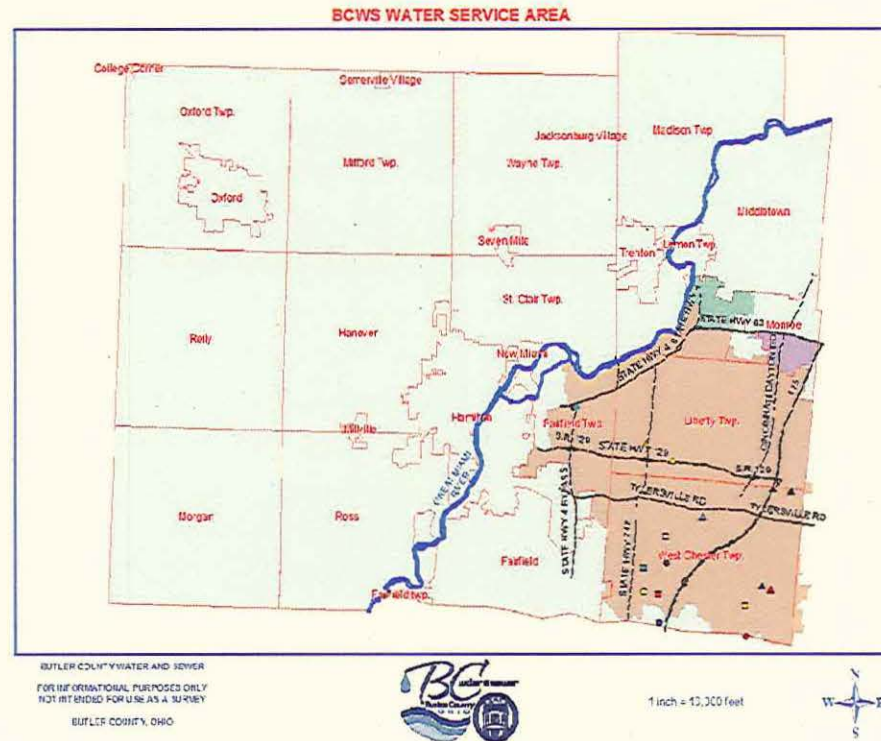
- Operate under the Authority of the Board of County Commissioners:
  - TC Rogers, Cindy Carpenter and Don Dixon
  - County Administrator Charles Young
- Drinking Water Distribution and Wastewater Collection & Treatment
- 38,842 Water Customer Accounts
- 43,485 Sewer Customer Accounts
- Water Population served is 107,000; Sewer Population Served is 120,000
- Serve Unincorporated Areas of the County

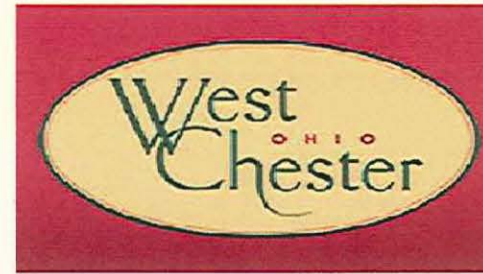


## BCWS Overview

### Water Distribution

- 13.04 Million Gallons/Day Average
- 5 Water Booster Stations
- 11 Water Storage Facilities
- 623 Miles of Water Lines

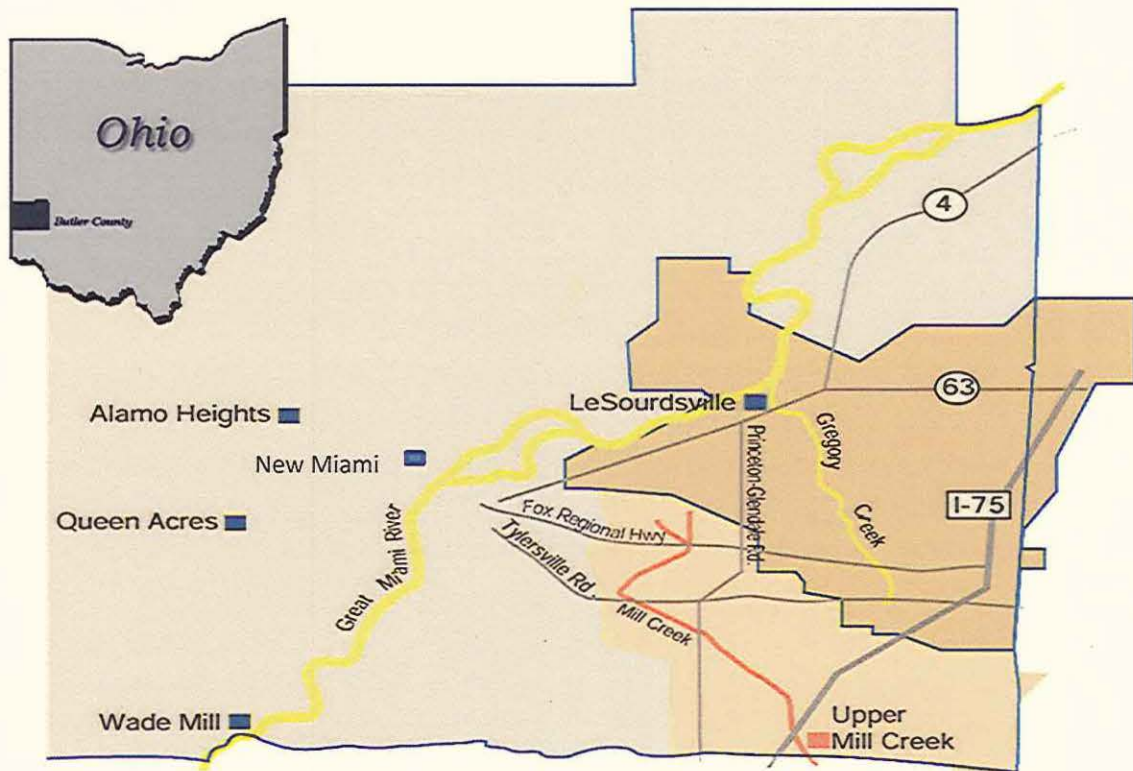




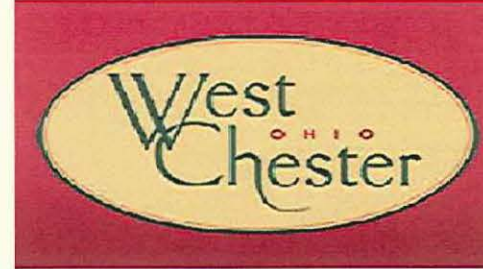
## BCWS Overview

### Wastewater Treatment

- 18 Million Gallons/Day Average Treatment
- 2 Regional WWTP, 4 Package Plants
- 700+ Miles of Sewer Lines







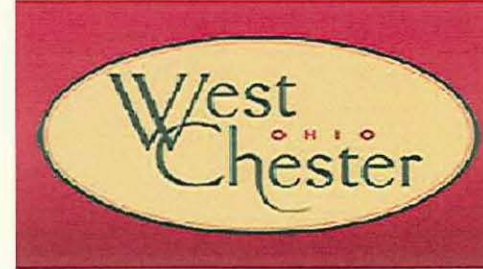
## Water System Infrastructure – Major Facilities

### Pump Stations

Rialto Pump Station - 15.6 MGD  
Beckett Ridge Pump Station - 15.6 MGD  
Muhlhauser Pump Station - 8.1 MGD  
Dimmick Pump Station - 11.9 MGD  
Liberty-Fairfield Pump Station – 15 MGD

### Water Storage Tanks

Tylersville Tank - 1 Million Gallons (MG)  
VOA Tank - 2 MG  
Cox Tank - 1 MG  
Liberty Union Tank - 1 MG  
Dimmick Reservoir - 5 MG  
Liberty-Fairfield Reservoir – 2 MG  
Princeton Tank – 1 MG  
Van Gordan Tank – 2 MG



## Sewer System Infrastructure – Major Facilities

### Pump Stations - Capacity

30 Pump Stations – 15 MGD

### Wastewater Treatment Plants (Capacity)

LeSourdsville Regional WWTP – 15 MGD

Upper Miller Creek WWTP – 16 MGD

New Miami WWTP – 0.80 MGD

Queen Acres WWTP – 0.60 MGD

Wade Mill WWTP – 0.5 MGD

Alamo Heights WWTP – 0.13 MGD

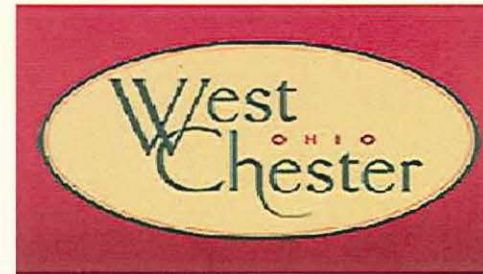


### **Total Water System Capacity**

- Total Water Supply Capacity = 43 MGD
- Total Ultimate Peak Demand = 34 MGD (at build-out)
- Excess Supply Capacity = 9 MGD

### **Total Wastewater Treatment Capacity**

- Total Wastewater Treatment Capacity = 33 MGD
- Total Ultimate Treatment Demand = 32 MGD
- Excess Treatment Capacity = 1 MGD



## Township Water System Customers

16,812	=	Residential Customers
1,154	=	Commercial Customers
67	=	Industrial Customers
534	=	Multi-Family Residential Customers



**Water 2013**  
**Billed Charges**

**Water 2013**  
**Billed Water Consumption**

West Chester Township  
Butler County

\$10,849,341.17 (55%)  
\$19,749,415.61

1,983,761,800 Gallons (53%)  
3,762,626,700 Gallons

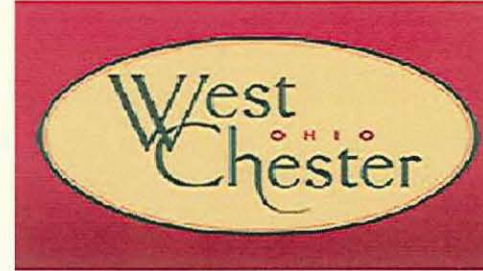
**Sewer 2013**  
**Billed Charges**

**Sewer 2013**  
**Billed Sewer Consumption**

West Chester Township  
Butler County

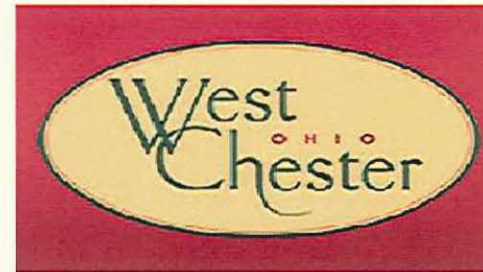
\$6,924,525.37(40%)  
\$17,448,489.34

1,713,260,068 Gallons (40%)  
4,317,601,150 Gallons



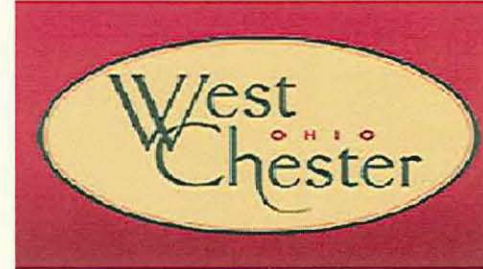
**Water System Operations Budget (in million \$)**

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Salaries & Benefits	4.93	4.33	3.8	3.59	3.46	2.91	2.78
Electric & Utilities	0.85	0.64	0.59	0.46	0.45	0.46	0.45
Purchased Services	1.2	0.9	0.97	0.52	0.38	0.54	0.48
Materials/Supplies	0.71	0.71	0.55	0.57	0.58	0.53	0.54
Other O&M	0.38	0.48	0.58	0.66	0.55	0.56	0.62
Purchased Water	<u>9.54</u>	<u>10.04</u>	<u>10.6</u>	<u>10.51</u>	<u>11.05</u>	<u>11.63</u>	<u>11.77</u>
TOTAL	17.61	17.1	17.15	16.31	16.47	16.63	16.64



### Sewer System Operations Budget (in million \$)

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Salaries & Benefits	7.05	6.22	5.51	5.90	5.79	5.77	5.72
Electric & Utilities	2.13	1.83	2.01	1.61	1.45	1.47	1.53
Purchased Services	1.98	1.82	1.84	1.41	1.28	1.26	1.22
Materials/Supplies	1.56	1.50	1.26	1.17	1.35	1.34	1.42
Other O&M	0.59	0.68	0.74	0.77	0.70	0.74	0.85
Treatment by Others	<u>0.70</u>	<u>0.61</u>	<u>0.78</u>	<u>0.81</u>	<u>0.84</u>	<u>0.87</u>	<u>0.88</u>
<b>TOTAL</b>	<b>14.01</b>	<b>12.66</b>	<b>12.14</b>	<b>11.67</b>	<b>11.41</b>	<b>11.45</b>	<b>11.62</b>



## Hamilton Water Contract Terms

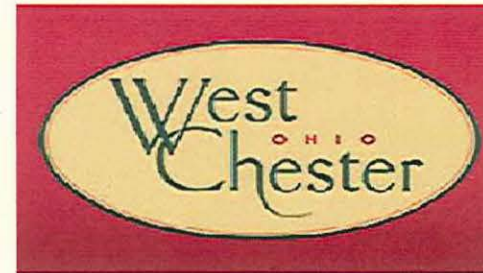
- Previous Hamilton Agreement – 20 years expiring December 31, 2021
- New Hamilton Agreement – 30 years expiring December 31, 2044
- Cincinnati – 20 years expiring December 31, 2025





## Rate Stability

- BCWS rate reduced from \$2.78/1000 gals to \$1.66/1000 gals commencing 1/1/2015.
- \$1.66 rate stays fixed through 12/31/2021.
- After 2021, increases based on CPI but are capped at 3.25% unless CPI exceeds 4.5% for 3 consecutive years.



### **2014 Purchased Water Rates**

Hamilton = \$2.78 per 1,000 Gallons (thru 12/31/14)

Cincinnati = \$1.66 per 1,000 Gallons

GCWW Water rates increase annually by CPI.

### **2015 Purchased Water Rates**

Hamilton = \$1.66 per 1,000 gallons – Rate fixed thru 12/31/2021

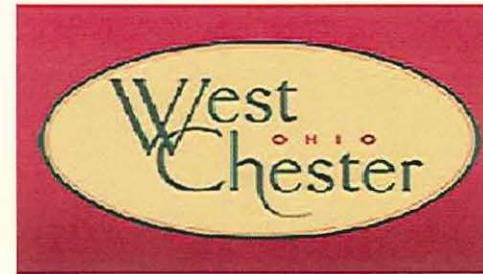
Cincinnati = \$1.68 per 1,000 gallons – Rate increases annually by CPI

### **New Minimum Purchase Requirement**

Hamilton = 8 MGD or 2,920 MGY until 2025

Hamilton = 12 MGD or 4,380 MGY from 2026 - 2044

Cincinnati = 6 MGD or 2,190 MGY until 2025 (unchanged)



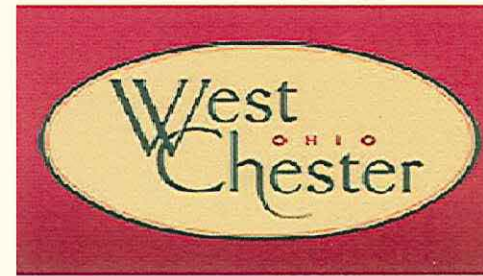
## Annual Purchase Water Cost (in million \$)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
Previous Hamilton/GCWW Contracts	\$ 11.60	\$ 11.84	\$ 12.14	\$ 12.44	\$ 12.75	\$ 13.07	\$ 13.40	\$ 13.73	\$ 14.07	
New Hamilton Contract + GCWW	\$ 11.60	\$ 11.77	\$ 8.58	\$ 8.69	\$ 8.81	\$ 8.93	\$ 9.05	\$ 9.18	\$ 9.31	
<b>PURCHASED WATER COST SAVINGS</b>	\$ -	\$ 0.07	\$ 3.56	\$ 3.75	\$ 3.94	\$ 4.14	\$ 4.35	\$ 4.55	\$ 4.76	\$ 29.12



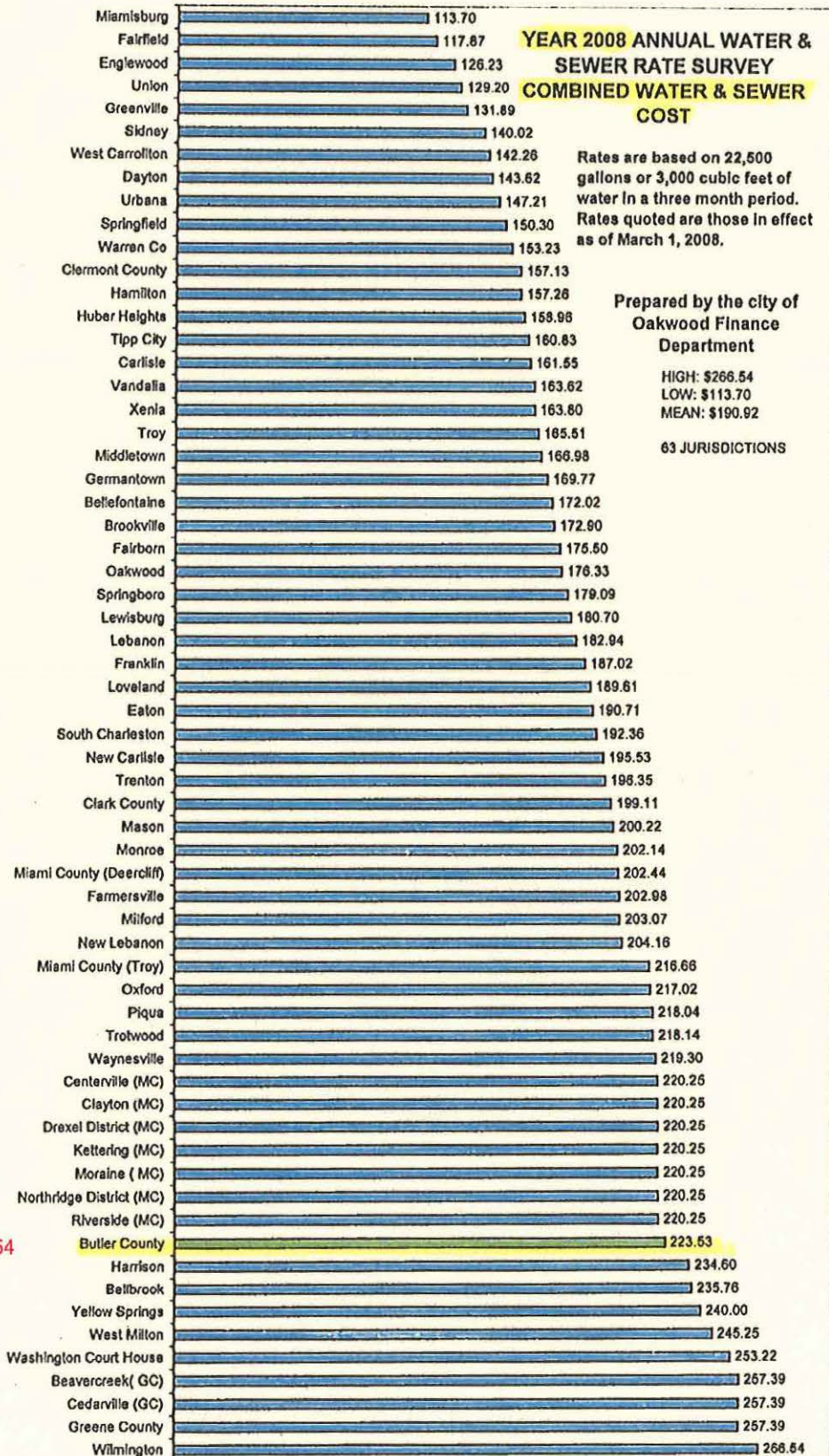
## Capital Consideration

- County will contribute toward capital improvement costs at city's South Water Plant after 2021 in the event City is required to make extraordinary capital improvements due to federal or state changes in water treatment regulations or stricter drinking water standards.
- Butler County has Right of First Refusal if Hamilton wishes to sell the South Water Treatment Plant.
- County has equal access and rights to the City's water supply for the County's full water supply requirements. Provides certain amount of supply just as if we had our own Water Treatment Plant.



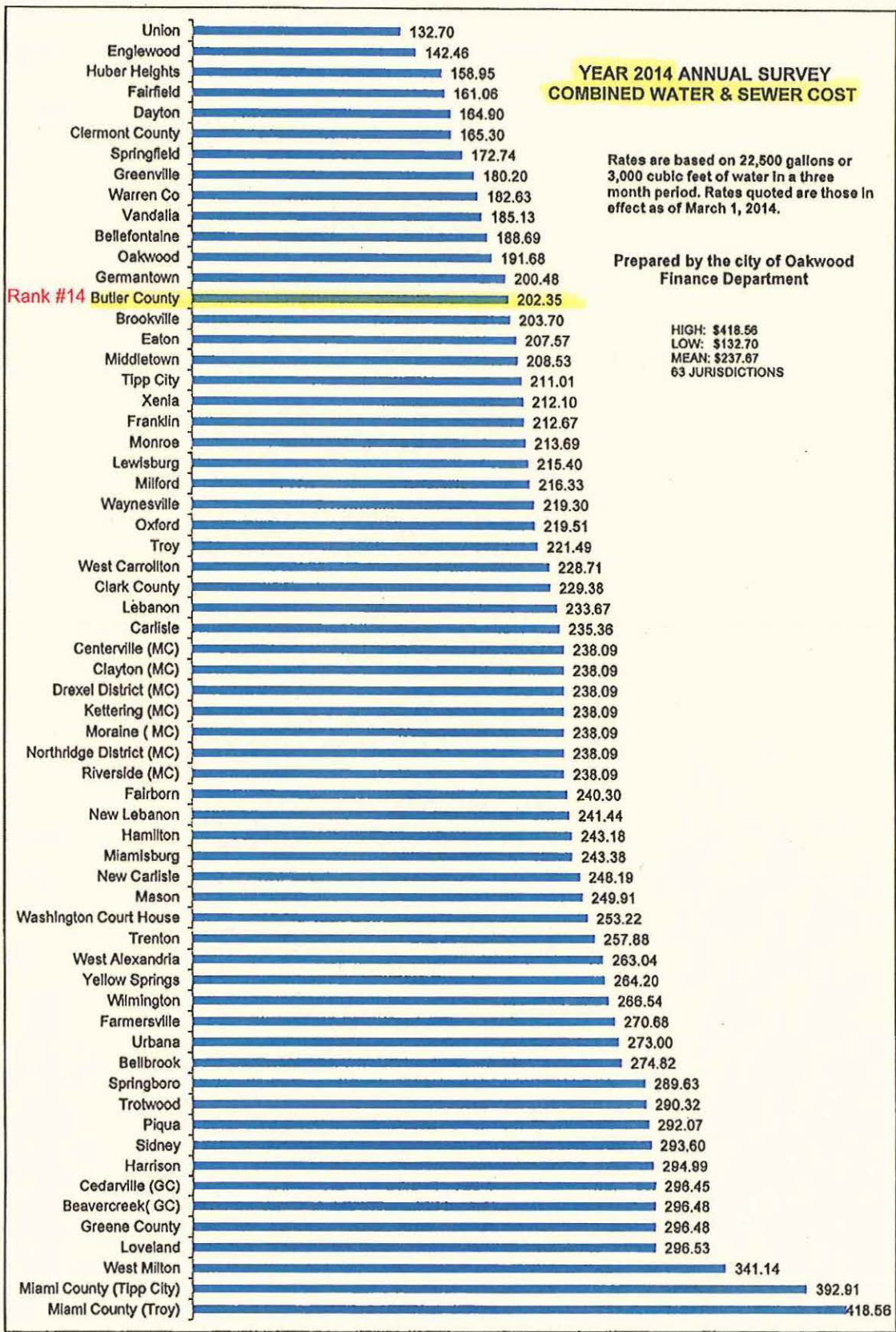
### New contract ensures:

- Guaranteed supply of water for 30 years
- Water rate stability
- Cost certainty
- Very high quality water source
- Sufficient supply for system growth
- Equal Access to Water Supply



Rank #54

MC - Montgomery County  
GC - Greene County



**PROJECTED 2019  
COMBINED WATER & SEWER RATES**



2014 COMBINED WATER and SEWER SURVEY with 3% annual adjustments for years 2015 - 2019 for all entities except Butler County  
Source: 2014 Oakwood Survey

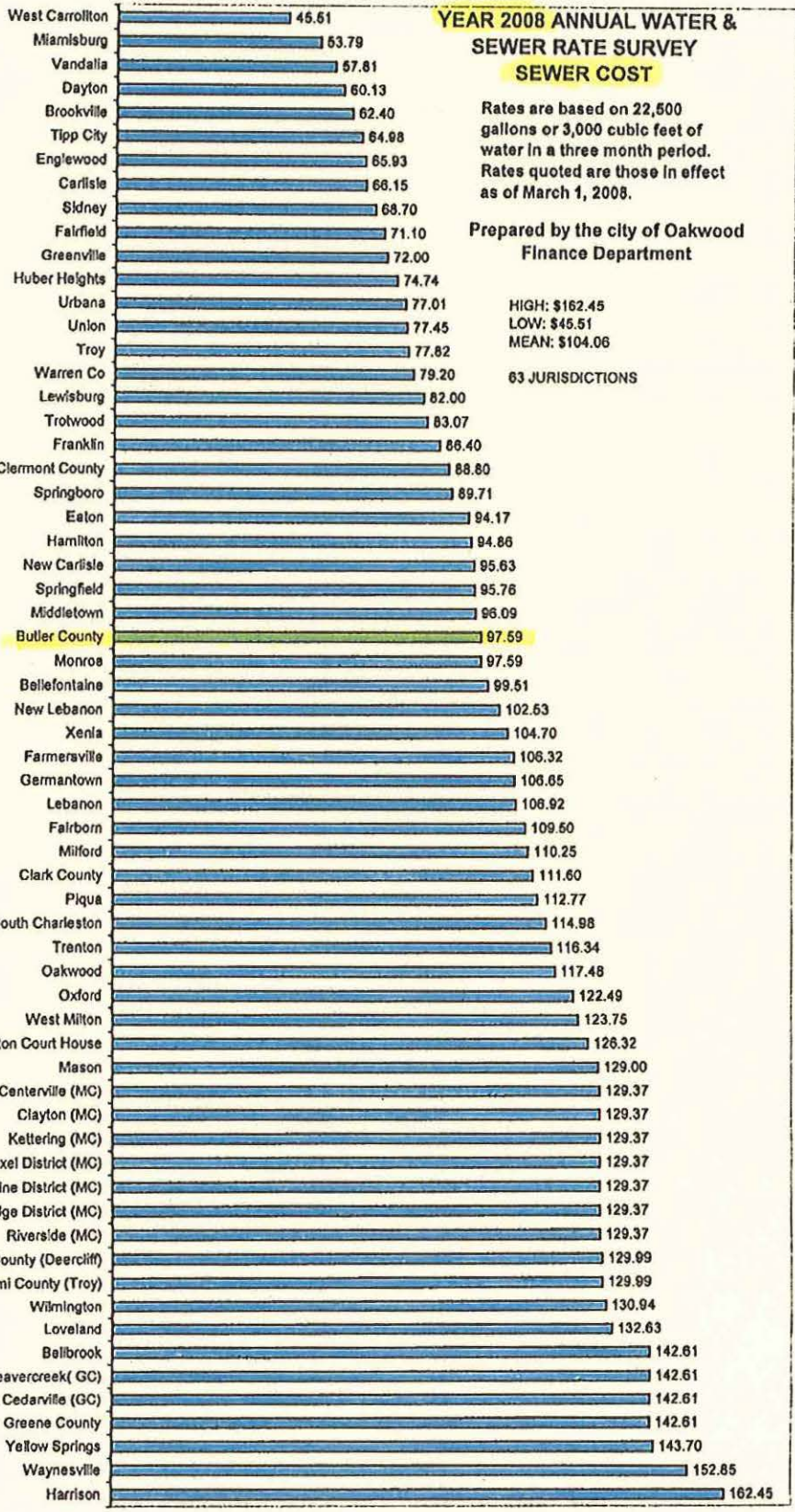
Rates are based on 22,500 gallons or 3,000 cubic feet of water in a three month period. Base rates used in calculations were those in effect as of March 1, 2014.

**Butler Co. 2008  
Ranking = 54th**

**Butler Co. 2014  
Ranking = 14th**

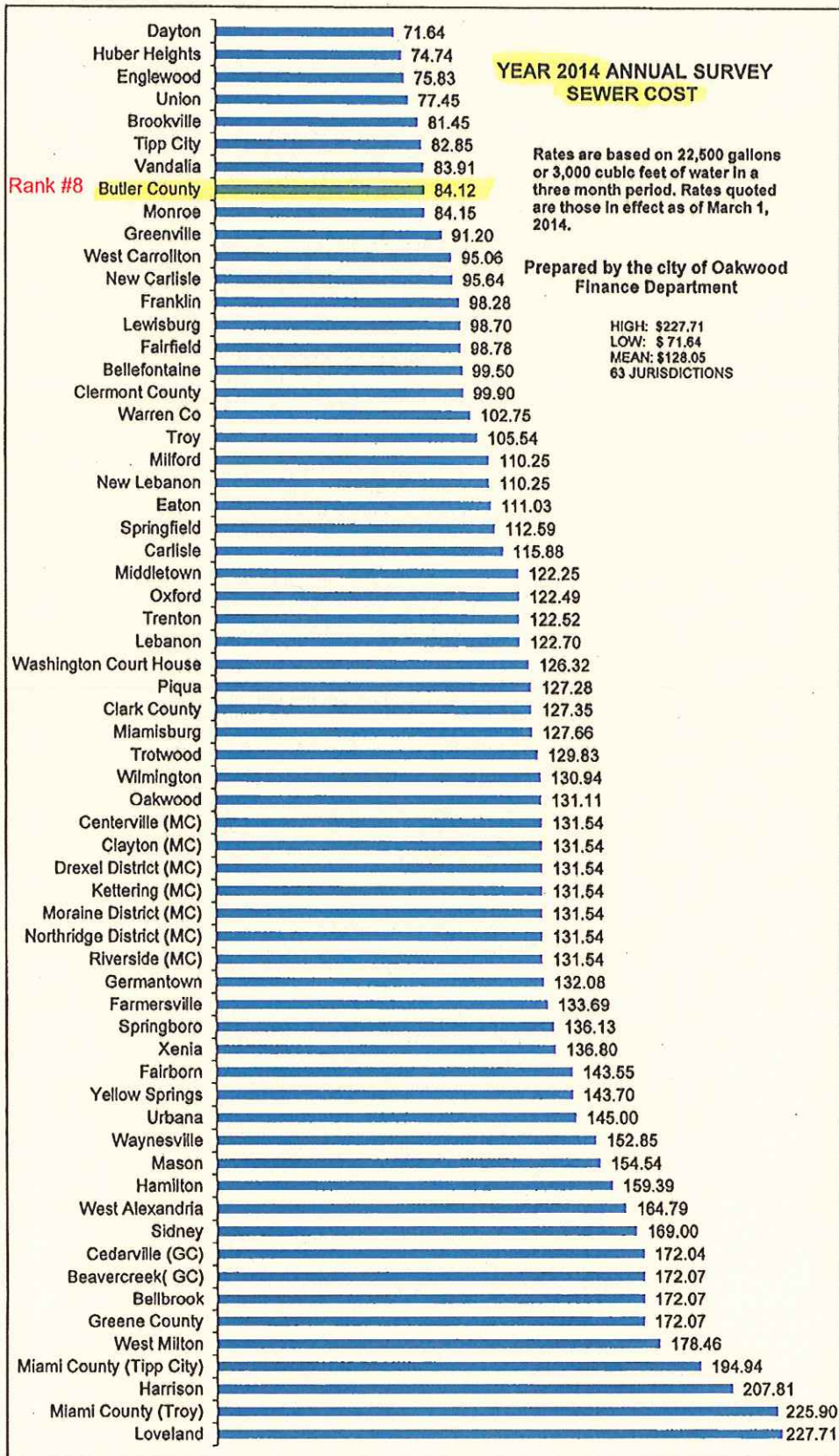
**Butler Co. 2019  
Ranking = 8th**





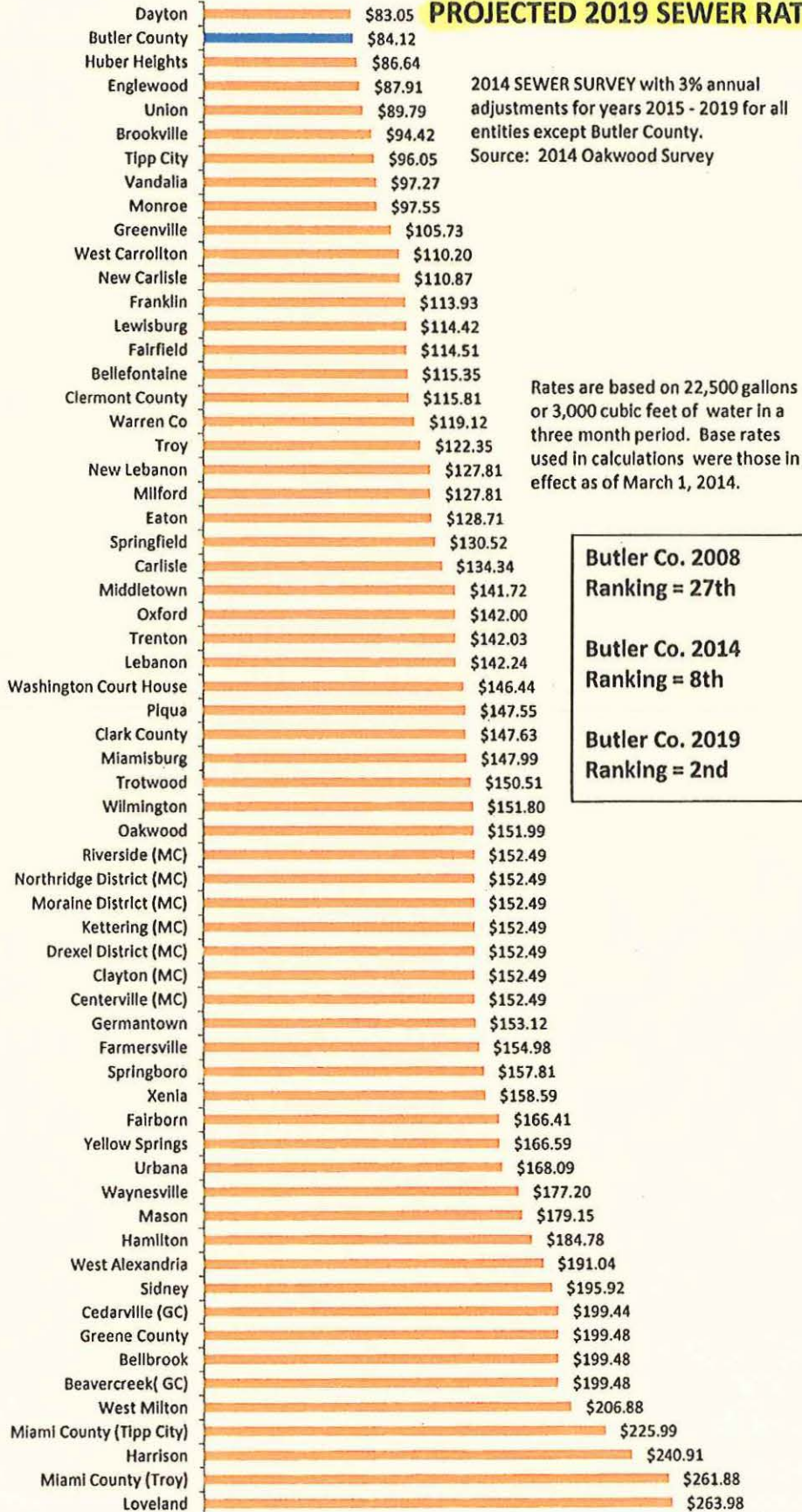
Rank #27

MC - Montgomery County  
GC - Greene County



MC - Montgomery County  
GC - Greene County

## PROJECTED 2019 SEWER RATES



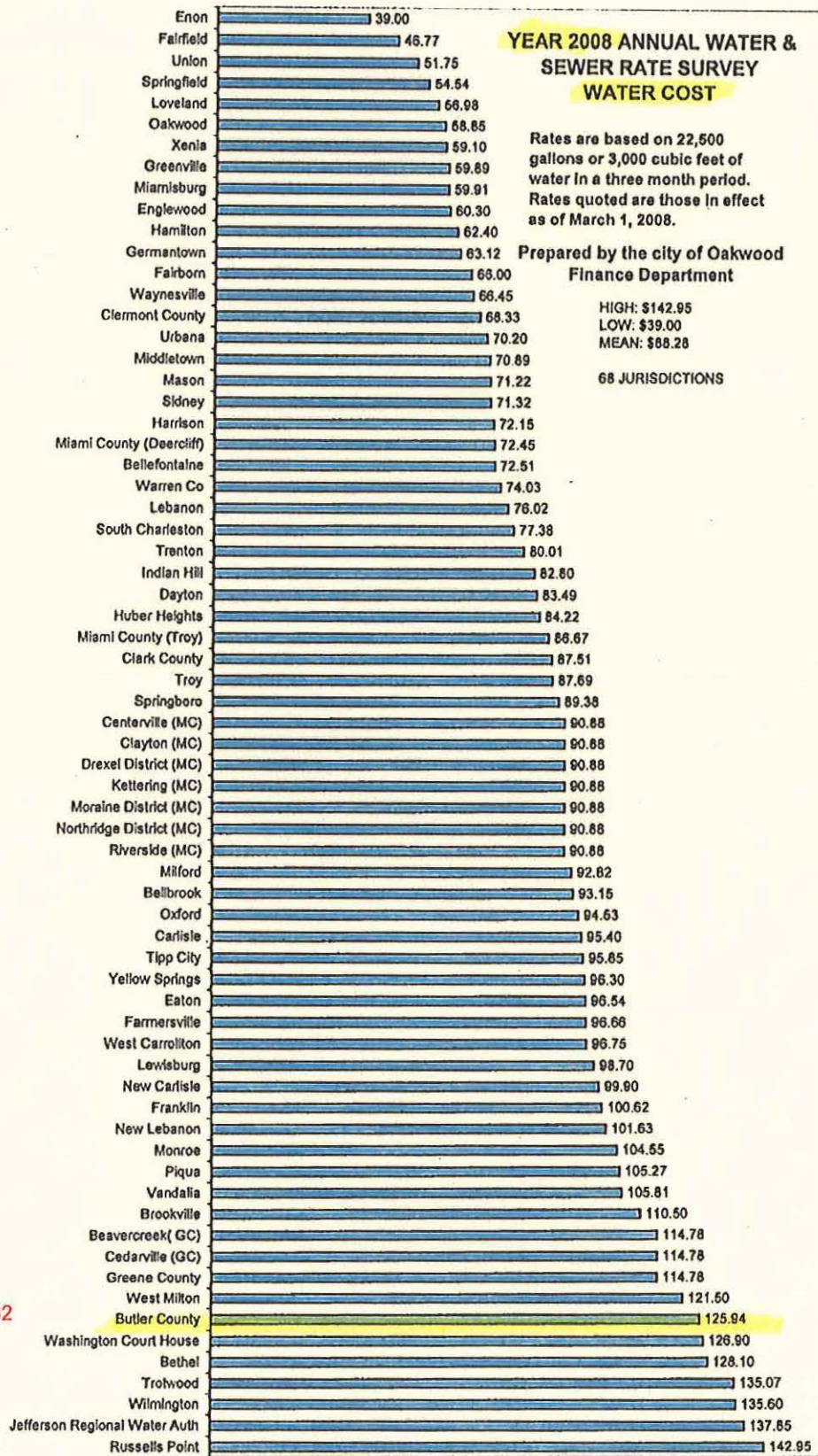
**YEAR 2008 ANNUAL WATER & SEWER RATE SURVEY WATER COST**

Rates are based on 22,500 gallons or 3,000 cubic feet of water in a three month period. Rates quoted are those in effect as of March 1, 2008.

Prepared by the city of Oakwood Finance Department

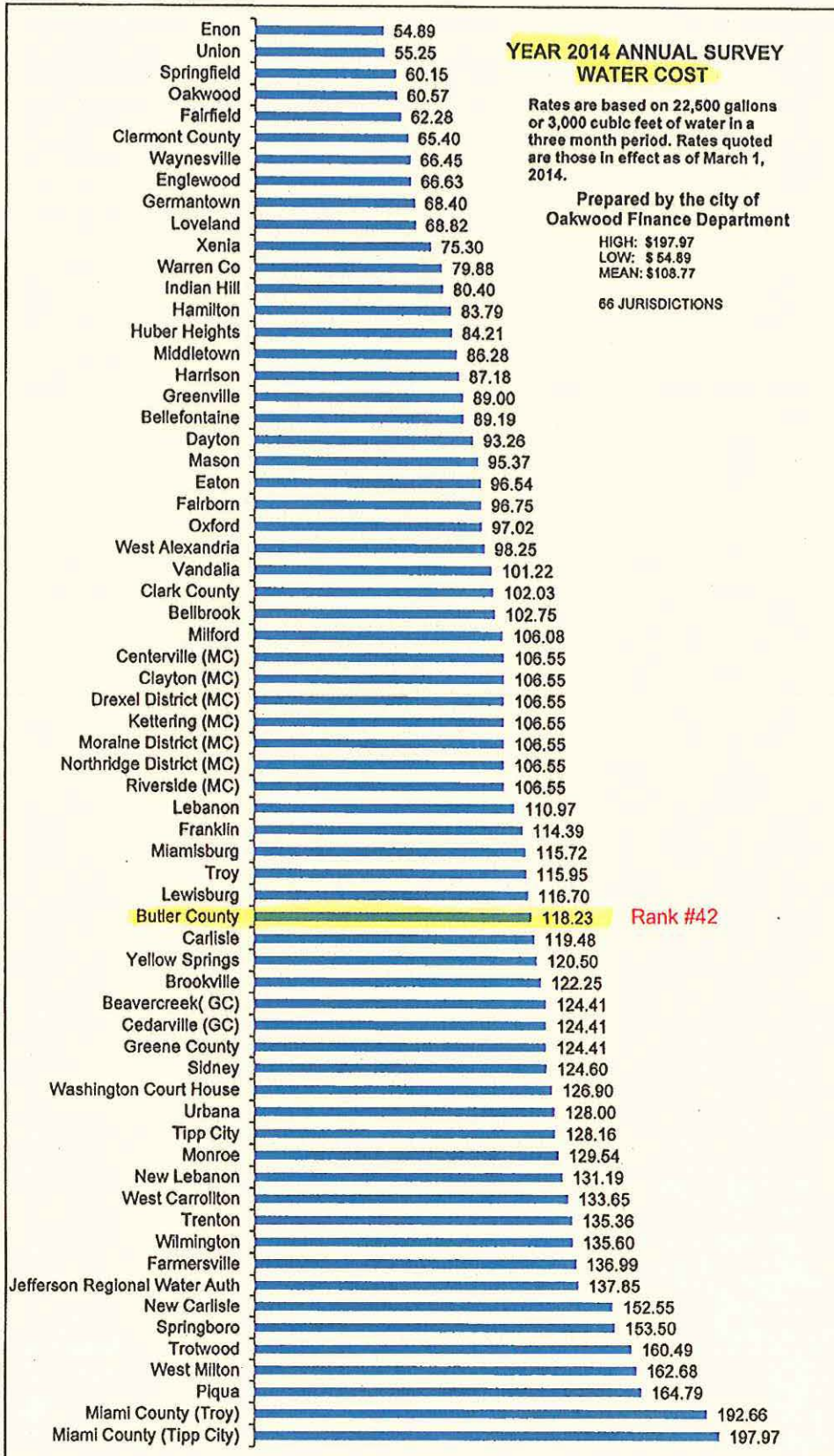
HIGH: \$142.95  
LOW: \$39.00  
MEAN: \$88.28

68 JURISDICTIONS

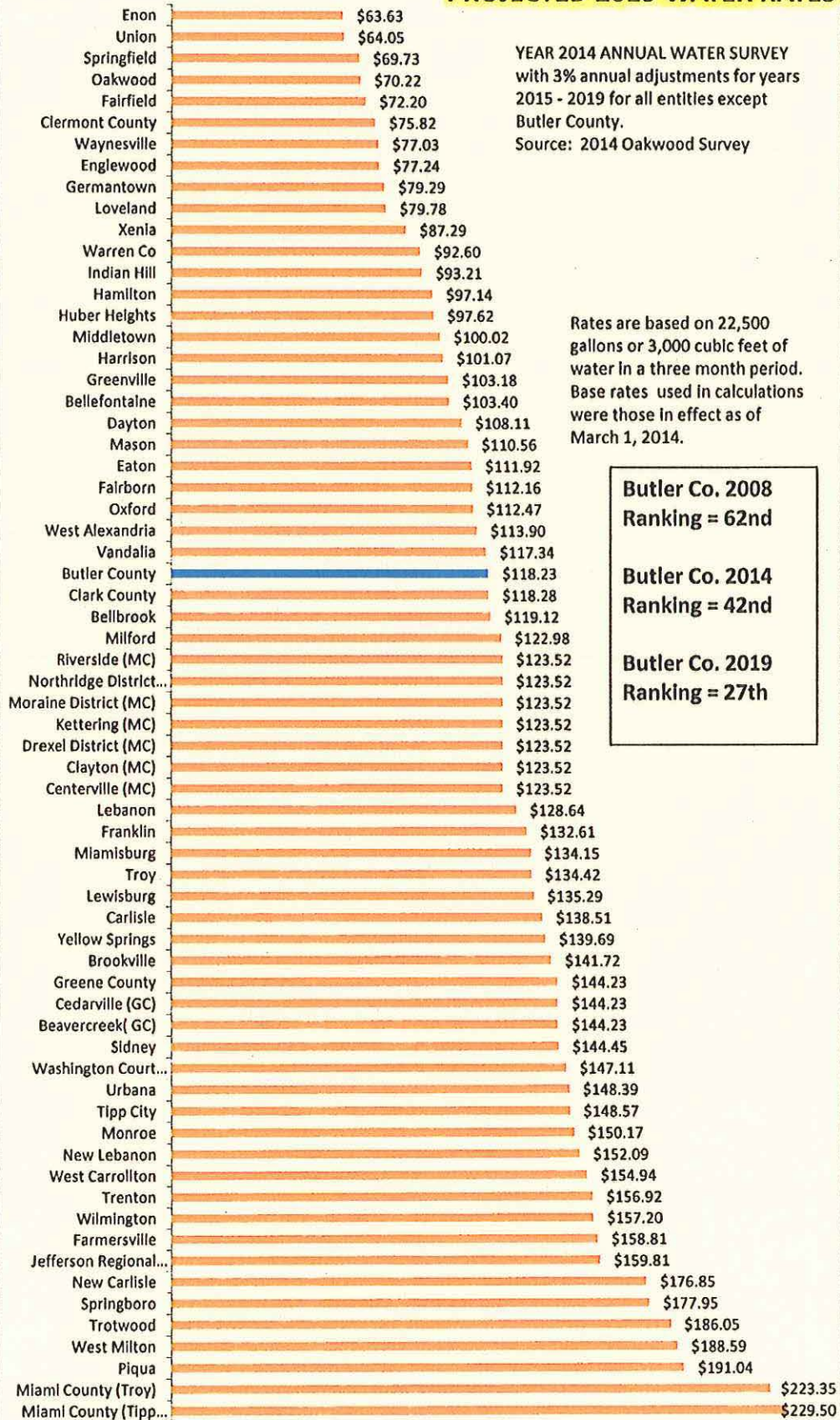


Rank #62

MC - Montgomery County  
GC - Greene County



## PROJECTED 2019 WATER RATES



*BJ* 6/24/14