



**Hanover Township Board of Trustees  
November 8, 2017 Meeting Minutes**

**Call to Order:** Board President Fred Stitsinger called the meeting to order at 6:00 PM and then led the pledge of allegiance and gave the opening invocation.

**Roll Call:** Fiscal Officer Greg Sullivan took a roll call with Messer's Stitsinger, Miller and Johnson present. Other officials present: Bruce E. Henry, Township Administrator; Road Superintendent Scot Gardner; Fire Chief Phil Clark; Project Coordinator Julie Prickett and BCSO Deputy Tanner.

**Approval of Meeting Minutes:** Motion made by Mr. Johnson, seconded by Mr. Miller, to approve the October 18, 2017 Regular Meeting minutes and the November 1, 2017 Special Meeting minutes, approve warrants for release/distribution and approval of reports. Upon roll call, all three Trustees voted yes to approve all.

**Guest Presentation:** There was no guest presentation.

**Citizen Participation:** No citizens addressed the Board. Mr. Stitsinger congratulated Mr. Johnson on being elected to his fifth term as a Township Trustee and Mr. Jeff Buddo on being elected to his first term as a Township Trustee. Mr. Stitsinger also thanked the members of the Levy Committee for their hard work and successful efforts.

**Administration Reports**

**Law Enforcement:** Deputy Tanner gave the following report for the month of October 2017:

**Butler County Sheriff's Office**  
**District #6**  
**Hanover Township Contract Cars**  
**Monthly Report for Oct 2017**

<u>Activity Area</u>	<u>Month Totals*</u>	<u>YTD</u>
• Dispatched Calls: 172		1625
• Felony Reports: 04		35
• Misdemeanor Reports: 06		91
• Non-Injury Crash: 09		52
• Injury Crash: 02		37
<b>Total Reports: 21.....</b>		<b>216</b>
• Assists/Back Up: 20		214
• Felony Arrests: 00		11
• Misdemeanor Arrests: 00		27
• OMVI Arrests: 00		00
<b>Total Arrests: 00 .....</b>		<b>34</b>
• Traffic Stops: 09		117
• Moving Citations:09		130
• Warning Citations: 05		51
• Civil Papers Served: 0		02
• Business Alarms: 0		22
• Residential Alarms: 08		78
• Special Details: 11		142
• COPS Times: 5,200 ( <i>Min.</i> )		51,800
• Vacation Checks: 05		131

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Reporting: Deputy Tanner and Deputy Mayer/by BEH.

*Fire/EMS:* Chief Clark presented the following report for the month of October 2017:

**Monthly Report for October- Phil Clark Fire Chief**  
**(Presented in November 2017)**

Run and detail activity for the Fire and EMS operations are reflected in the following numbers:

	<u>Month</u>	<u>YTD</u>
• Emergency Medical Operations/Squad Runs:	37	483
• Motor Vehicle Accidents:	05	57

- Fire Runs: 15 90
- Fire Inspections: 00 08
- Knox Box Details 00
- Other 00
- Total for the month: **57 Runs/Operations  
(57 Fire/EMS Runs)**

**Total Year 2017: 625 Runs/Operations**

(October 2016: 66)

Runs/Operations)		
Total for 2016	705	
Total for 2015	733	
Total for 2014	809	<i>5 year average: 738</i>
Total for 2013	750	<i>11 Year Average: 702</i>
Total for 2012	693	
Total for 2011	719	
Total for 2010	748	
Total for 2009	676	
Total for 2008:	669	
Total for 2007:	717	
Total for 2006:	505	

**Road/Cemetery:** Road Superintendent Scot Gardner presented the following report for the month of October 2017:

**SUPERINTENDENT'S REPORTS  
(November 8, 2017)**

Millville Cemetery Operations Report October 1 through October 31, 2017

1 Graves sold to Township residents (@ \$610)	\$ 610.00
3 Grave sold to nonresidents	\$2,685.00
0 Old resident graves	\$ 0.00
5 Full Interments	\$ 4,700.00
0 Baby interments	\$ 0.00
1 Cremation	\$ 400.00
Foundation and Marker installation fees	\$ 940.80

0 Grave Transfer-----	\$	0.00
1 Donation-----	\$	10.00
<b>Total: -----</b>	<b>\$</b>	<b>9,345.80</b>

Other Cemetery activities:

1. Fixed graves and sink holes
2. Cleaned the office and garage
3. Cut grass 3 times
4. Did weed eating 1 time
5. Installed 2 markers
6. Did ditch work on Krucker Road.
7. Formed, set and poured 11 foundations.

#### **Road, Streets and Park (Scot Gardner)**

1. Picked up a deer carcass on Old Oxford Road and one on Morman Road.
2. Picked up bags of garbage on the corner of Four Mile and Huston Roads and some ripped open garbage bags on Taylor School Road.
3. Picked up a sofa on Stillwell Beckett Road.
4. Finished the third round of roadside mowing.
5. Repaired two catch basin grates in Alamo Heights.
6. Repaired in front of a driveway on Jesse Drive.
7. Repaired a pot hole on Rosary Circle.
8. Cut grass on all Township properties three times.
9. Raked and reseeded Decamp Cemetery.
10. Performed ditching on Krucker Road.
11. Performed monthly truck, park, and storm water inspections.

#### ***Administrator's Report (Financials and Personnel Issues)***

Mr. Henry presented the following report to the Board:

#### **Administrator October Summary Report (November 2017)**

- **Fire/EMS Run Data:** Dispatch Log information for October 2017. Prepared summary overview of data.
- **Fire Department:** Coordinated financing documents with the Prosecutor's Office, finalized review of contract documents and made changes. Worked on financing schedule and secured signatures for various forms required by law. Met with Chief Clark on

equipment and personnel issues. Performed several driving history checks for potential employees. Obtained and delivered candy for Fire Department use on Halloween night.

- **Phone System:** Phone system has been fixed and brought up to date by mid-October.
- **BWC:** Reviewing 2018 BWC premium payment schedule.
- **2018 Road Program:** Adding consideration of "critical culverts" for possible replacement if funds become available.
- **Nuisance Properties (ongoing):** Working on priority issues associated with 620 Boyle, 2048 Millville, Columbus and Martha Lane. 347 Fairy Drive and 746 Boyle were handed off to the County Zoning Office. Many others are in various stages of progress.
- **Board, Financial Reports and Payroll Reports (ongoing):** Obtained data from the Fiscal Officer and prepared Township funds analysis for the monthly Board meeting. Prepared Trustee packets. Prepared numerous contracts and permits for facility rentals. Worked with Ms. Prickett on payroll issues and time sheets for staff.
- **Park Committee:** Prepared agenda and support documents for the Park/ Veterans Committee meetings in October. Finalized logistics for the Haunted Harvest and outline for the Veterans Day ceremony.
- **Haunted Harvest October 29th:** Purchased items for the event; set up logistics and worked the event.
- **Voter/Resident Tax Levy Discussions:** Provided power point presentation and answered questions during the October 19th public forum on the tax levy as well as met many residents in the office and spoke over the telephone answering questions and providing requested documentation.
- **Coffee with Congressman Davidson:** Made arrangements with the Congressman's staff for an interactive period with residents as well as prepared/sent notice to the media.
- **General Operating Levy:** Ordered signs and provided public notices for the October Tax Levy Public Forum.
- **Partition fence Issue:** Prepared notice to all parties that the matter would be continued and considered by the Board at the November 8th meeting.
- **Newsletter:** Finished newsletter process, sent to printer and was mailed out the week of October 16th.
- **Jury Duty:** Spent October 23rd through October 25th serving on a trial jury.

## **Personnel Actions and Other Items of Note**

### ***Appointment of new personnel and Personnel actions:***

***Fire Department:*** Rehire Eric P. Weiss 3851 Citation Drive Hamilton, Ohio 45011 as a FF/EMT-B

Hire Savannah Conrad 745 Oakwood Drive Hamilton, Ohio 45013 as a FF/EMT-B\*

Hire Tyler Frazier 2280 Indian Creek Trail Hamilton, Ohio 45013 Volunteer FF\*  
(\*Pending completion of hiring requirements)

### ***Road Department and Cemetery:***

### **Other General Actions Non-Personnel Related: (Still in Progress)**

**Studying ways to secure records** properly and find space as the Township storage is limited at this time. Also, still have to finish new formatting of approved Records Retention Schedule to be presented to the state. Older files have been placed in file cardboard storage boxes.

**Admin Security and Protection of Records:** This issue needs to be addressed as soon as the budget will allow.

**Capital Planning:** Need to review needs of the Road Department for equipment considerations. After assessment, determine what needs to be done the next six months.

**For the Fire Department:** Pumper/Tanker order was placed with Sutphen. Financing documents have been initiated and waiting on final approval.

### **Of Note- Budget Information for October 31, 2017**

**Cash Balance as of October 31, 2017: \$1,511,096.61**

- 1) Total Expenditures all funds for October 2017: \$71,635.84 / Revenue: \$195,606.30**
- 2) Total General Fund cash on hand October 2017: \$334,269.50 (22.12%) of Total funds**
- 3) Total Fire/EMS Fund cash on hand October 2017: \$500,813.11 (33.14%) of Total funds**
- 4) *Monthly Revenue and Expenditure Reports by fund are attached to this report.***



### History of Cash Balances

#### **Fiscal Year 2014**

Jan-Cash Balance: \$1,380,611.21  
Feb-Cash Balance: \$ 1,331,175.05  
Mar-Cash Balance: \$1,259,054.92  
April-Cash Balance: \$1,546,929.78  
May-Cash Balance: \$1,524,373.14  
June-Cash Balance: \$1,506,977.71  
July-Cash Balance: \$1,517,738.15  
Aug-Cash Balance: \$1,286,101.15  
Sept-Cash Balance: \$1,533,842.91  
Oct- Cash Balance: \$1,444,676.89  
Nov- Cash Balance: \$1,384,569.72  
**Dec-Cash Balance: \$1,324,682.90**

#### **Fiscal Year 2015**

Jan: \$1,148,374.71  
Feb: \$1,158,413.75  
Mar: \$1,551,667.37  
Apr: \$1,458,584.04  
May: \$1,477,662.73  
June: \$1,393,267.44  
July: \$1,332,264.37  
Aug: \$1,125,949.35  
Sept: \$1,449,880.79  
Oct: \$1,362,945.99  
Nov: \$1,194,472.00  
**Dec: \$1,093,559.61**

#### **Fiscal Year 2016**

**Jan- Cash Balance: \$1,086,880.70**  
**Feb- Cash Balance: \$ 975,051.11**  
**Mar- Cash Balance: \$ 929,271.02**  
**Apr- Cash Balance: \$1,259,751.18**  
**May- Cash Balance: \$1,256,517.69**  
**June- Cash Balance: \$1,231,659.27**  
**July- Cash Balance: \$1,136,203.94**  
**Aug- Cash Balance: \$1,088,071.02**  
**Sept- Cash Balance: \$1,231,337.97**  
**Oct- Cash Balance: \$1,199,176.98**  
**Nov- Cash Balance: \$1,083,268.01**  
**Dec- Cash Balance: \$1,046,996.51**

#### **Fiscal Year 2017**

**Jan: \$ 888,346.09**  
**Feb: \$ 902,459.77**  
**Mar: \$ 900,176.59**  
**Apr: \$1,471,639.15**  
**May: \$1,413,018.92**  
**June: \$1,359,085.19**  
**July: \$1,321,950.79**  
**Aug: \$1,274,996.15**  
**Sept: \$1,646,935.23**  
**Oct: \$1,511,096.61**

**General Notes:** The Fiscal Officer and Administrator are very concerned about the ongoing significant negative impact of property devaluations and state cuts have had on the budget/revenues as discussed in previous Board briefings and reports. Plans are underway to make any necessary adjustments for fire operations until levy revenues are received the first half of 2017. Other areas such as road related issues and General Fund problems continue to exist and will need attention as previously discussed. The Tax Budget filed in July 2016 had some significant reductions. Tax revenue is not rebounding and consideration of an operating levy or other related levy in 2017 is critical to the Township well-being.

**January 2017:** Although expenses were held to essential items in 2016 and the total expenditures for 2016 were below 2015 expenditures showing a reduction of \$52,554.69, the General Fund revenues continue to shrink. The Township cannot continue to provide existing service levels through the General Fund as revenues continue to decrease.

**July 2017:** The Township has not fully recovered from the State of Ohio cuts in revenue to the Township as well as the decrease property values. AS the lower valuation impacted the tax base, the overall budget and specifically the General Fund has decreased below 2015 levels. Projections for 2018 are slightly better but still

below levels prior to 2015. To account for these shortages when faced with increasing costs, staff has been limited and no new maintenance projects have been undertaken in all areas- only absolutely necessary repairs.

**September 2017:** Questions arise about the Local Government allocation of the General Fund which has been shrinking over time. In 2007 Hanover Township's allocation was \$278,971.00; in 2017 the amount certified by the County Budget Commission is \$128,166.50 or a 54.1% decrease over this period.

Mr. Henry also distributed revenue and expenditure reports. Mr. Henry noted that several revenue funds were running lower than last year's amounts. Mr. Henry also noted that the Medicount Management billing was back on track due to Jennifer Mason's work in this project.

### ***Old Business***

***Partition Fence Hearing Continuation (1938 Vizedom Road):*** Mr. Stitsinger opened the Hearing and requested that Mr. Henry provide a recap of the issue. Mr. Henry referred the Trustees to documents in their packets. He explained that Ms. Andrea Anglin had presented her information to the Township at the August 16, 2017 Board meeting. The purpose this evening was to continue the Hearing in order to receive information from Mr. Jay Bennett, attorney for Ms. Billie Jo Follick who is the other property owner.

Mr. Bennett addressed the Board and stated that based on his research of relevant sections of the Ohio Revised Code, it was his opinion that his client was not required to pay a portion of the fence erected by Ms. Anglin as the fence did not meet the ORC definition of a partition fence. Mr. Bennett based his opinion on the following: the fence was 8 feet off the property line, it is not a preferred partition fence for livestock as there were no animals on his client's property, and the fence was constructed prior to the effective date of the ORC partition fence law and therefore the law does not apply. Mr. Bennett concluded that Ms. Anglin could not seek money for a new fence because the new fence does not replace a partition fence. Mr. Bennett also stated that Ms. Anglin failed to file an affidavit within the time limits set forth in the ORC. Therefore, Mr. Bennett concluded that ORC Sec. 971.07(a) applies and that the new fence is to be paid for by the property owner who installed the fence as it does not replace an existing partition fence.

Mr. Stitsinger asked Ms. Follick if there was any livestock on her property. Ms. Follick stated that there were 4 goats corralled by the garage on the other side of her property. A pony had been removed from the property shortly after the Trustees inspected the fence.

Mr. Stitsinger called Ms. Anglin to the podium. Ms. Anglin stated she did follow provisions of ORC Sec. 971.01 and had constructed a partition fence. Ms. Anglin explained the fence was on the property line except for one portion of the fence which was 8 feet off the property line due to a swell in the land. Ms. Anglin stated her position was that the fence was a partition fence and therefore she had asked the Trustees to determine the amount Ms. Follick should pay for her share of the fence. Ms. Anglin reiterated that she complied with the law, stating that the fence did mark the property line. Ms. Anglin further stated that she did not have to notify Ms. Follick regarding erecting the fence as Ms. Follick had no livestock on her property.

Mr. Stitsinger and Mr. Henry asked Ms. Anglin to clarify why the stated cost for the fence in the invoice she provided was different from the stated cost of the fence in her affidavit. Mr.



Stitsinger noted the invoice amount was \$5625, with an initial affidavit stating \$5500 and a second affidavit stating \$700. Ms. Anglin explained that the ORC required her to submit total costs and the Board is to determine what portion of the total cost the other property owner should pay. Ms. Anglin stated she was seeking payment for only a portion of the fence.

Mr. Stitsinger noted that when the Trustees inspected the fence, Ms. Anglin had indicated she would have no issue if the pony were gone. Mr. Stitsinger asked Ms. Anglin, since the pony was no longer on Ms. Follick's property, what had changed. Ms. Anglin stated that other neighbors convinced her to continue to pursue the issue.

As neither party had any additional information to present, Mr. Stitsinger closed the Hearing and stated that the Board would take the issue under consideration and may consult with the County Prosecutor's Office before it rendered a decision.

**October 2017 Fire/EMS Run Data Summary:** Mr. Henry provided the run data summary for the month of September and noted the average response time was 7.42 minutes. The busiest day for runs was Wednesdays and second shift continued to be the busiest shift.

**Community Development Block Grant Applications Submittal Update:** Mr. Henry reported there was still no word from the County Community Development Department regarding its schedule for CDBG submittals. Mr. Henry reported the Township was prepared to submit its applications and would do so when the County announced its schedule for submittals.

**Confirm Dates for 2018 Meetings and Events:** Mr. Henry referred the Trustees to a list of proposed Board meeting dates and special events dates for calendar year 2018. After reviewing the list of dates, Mr. Johnson made a **motion**, seconded by Mr. Miller, to approve the list of dates for 2018. Upon roll call, all three Trustees voted yes. Mr. Henry noted that the 2018 dates would be posted on the Township's website.

**Other Old Business:** There was no other Old Business.

#### ***New Business:***

**Resolution No. 45-17 – Brine/Beet Juice Purchase/County Engineer's Office:** Mr. Henry explained this piece of legislation was being pulled from the agenda as cost estimates had not been received. This legislation would be placed on the agenda for the December 2017 Board meeting.

**Resolution No. 46-17 – Approve "Then and Now" for Alamo Heights Black Mat Project:** Mr. Henry explained the purpose of this resolution was to satisfy State audit requirements for recording of expenditures associated with the Alamo Heights Black Mat Project. After some discussion, Mr. Stitsinger made a **motion** to adopt Resolution No. 46-17, which was seconded by Mr. Johnson. Upon roll call, all three Trustees voted yes.

**Resolution No. 46-17**

**Approving Purchase Orders and Subsequent Expenditures Provided Under the “Then and Now” Process as Recommended by the Fiscal Officer**

*Whereas*, the Fiscal Officer reported on recent “Then and Now” activity and in particular actions associated with payments; and

*Whereas*, the Fiscal Officer recommends that payment associated therewith be authorized through a “Then and Now” Purchase Order (amounts over \$3,000.00) officially approved by the Board and payment made accordingly; and

*Whereas*, the Board of Trustees concurs with the recommendation of the Fiscal Officer,

*Be it resolved by the Board of Trustees of Hanover Township Butler County, Ohio*

*Section I.* That to promote sound and efficient fiscal operations for the Township, the following items are hereby approved:

- A) \$50,000.00: (Fund 2021) For American Pavements, Inc./ 2017 Road Program**
  - B) \$47,521.75: (Fund 2031) For American Pavements, Inc./ 2017 Road Program**
- (These totals are the balance due for the Alamo Heights Black Mat project.)**

*Section II.* That the Fiscal Officer is authorized to take all necessary steps to process said expenditures and provide payment accordingly.

The foregoing resolution was adopted in an open public meeting and is a reflection of the official action taken by the Board of Trustees of Hanover Township Butler County, Ohio on the 8th day of November 2017.

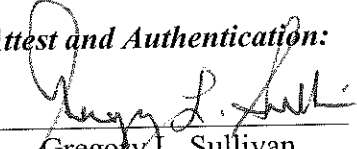
***Board of Trustees***

***Vote***

Fred J. Stitsinger  
Douglas L. Johnson  
Larry Miller

YES  
YES  
YES

***Attest and Authentication:***

  
\_\_\_\_\_  
Gregory L. Sullivan  
Fiscal Officer/Clerk

***Motion Veterans Day Ceremony/Luncheon Expenses – Saturday, November 11 at 11:00AM:***  
Mr. Henry noted that Hanover Township sponsors an annual Veterans Day Ceremony and Luncheon on Veterans Day (November 11.) In 2017 this day falls on a Saturday. Although there will be several private contributions made to support the event, there may be items not totally covered by these contributions. Therefore, a motion is in order. **Motion** by Mr. Miller, seconded by Mr. Johnson, to approve the Township's sponsorship of the Veterans Day Ceremony and

Veterans Luncheon and approve expenses associated therewith not to exceed \$1,000.00. After discussion, a roll call vote was taken with all three Trustees voting yes.

***OTA Conference/Training in Columbus:*** Mr. Henry referred the Trustees to a preliminary schedule of events for the 2018 OTA Conference and noted that registrations and hotel reservations for attendees had been made.

***Records Commission Meeting – December 13 at 5:30PM:*** Mr. Henry noted the date and time for the Township's annual Records Commission Meeting and noted that ORC provisions set forth the Board President and Fiscal Officer as members of the Records Commission. Therefore, attendance by Mr. Stitsinger and Mr. Sullivan is required. Mr. Henry also noted that the Township's retention schedule needed to be reformatted to comply with State requirements.

### ***Other New Business***

Mr. Miller reported that Judge Bressler had offered to conduct the swearing-in ceremony for the newly elected trustees; however, meeting date and time had to be arranged with the Judge.

Also under Other New Business, Deputy Tanner reported he had heard lots of praise for the fast EMS response to a recent fatal auto accident.

Also under Other New Business, Mr. Stitsinger noted the Firehouse software would expire at the end of November. Mr. Wyatt was asked to comment from the podium. Mr. Wyatt recommended using Firehouse software for State required fire reports and stated that it would be a smooth transition. Mr. Wyatt also noted that, in the interim, he could manually file the reports to the State. He also noted that other fire departments in the immediate area use Firehouse software and like it. Mr. Henry stated that he needed a complete recommendation from the Fire Department that included the cost of the software and the costs of any hardware equipment that might be required. Mr. Henry emphasized the Board needed to know the full cost of what was being proposed. Mr. Wyatt stated that the Fire Department would probably need a new desktop computer. Chief Clark handed Mr. Henry a sample contract for Firehouse software. Mr. Henry explained an actual contract with exact current pricing, not a sample, was needed to submit to the Prosecutor for review and approval. Mr. Sullivan stated that he would need to know if the contract included an annual fee and, if so, the amount. Mr. Stitsinger urged the Board to pass a motion to approve acquisition of Firehouse software because the current agreement would expire at the end of November. Mr. Miller made a **motion**, seconded by Mr. Johnson, to approve the purchase of Firehouse software subject to the Prosecutor's review and subject to review and approval of the contract by the Fiscal Officer and Township Administrator. A roll call vote was then taken with all three Trustees voting yes.

Also under Other New Business, Mr. Henry advised the Board that a plan was needed to identify the sequence and timeline in which pending purchases of various pieces of Fire Department equipment could be made. Mr. Henry explained that the Township would receive additional funds from the fire levy over time; however, the Township would not have all the funds necessary to make all the purchases at one time. Mr. Henry stated he would present additional

information regarding the timing for acquisition of new equipment to the Board at upcoming meetings. This also holds true for the Road Department equipment needs.

Also under Other New Business, Mr. Henry asked the Trustees to note miscellaneous correspondence and general information in their meeting packets which included: Butler County Building Permit Report for October 2017; an OTA Legislative Update; the agenda for the November 9 Butler County Township Association Meeting; and information and a nomination form for an open position on the Natural Resources Assistance Council.

There being no further regular business to be considered by the Board of Trustees, Mr. Henry requested an Executive Session to discuss disciplinary action and litigation issues. Mr. Miller made a **motion** to adjourn this part of the meeting and move into Executive Session, which was seconded by Mr. Johnson. Upon roll call, all three Trustees voted yes.

The Board reconvened into public session from the Executive Session. There being no further action or matters to consider, adjournment was in order.

**Motion to Adjourn:** Mr. Johnson moved, seconded by Mr. Miller to adjourn the Board of Trustees meeting. Upon roll call, both Trustees voted yes.

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**Minutes Approved by the Board of Trustees as Witnessed by their Signatures:**

*Frederick J. Stitsinger, President:* \_\_\_\_\_

*Douglas L. Johnson, Trustee:* \_\_\_\_\_

*Larry Miller, Trustee:* \_\_\_\_\_

Date: 12-13-2017

*Verified by: Greg Sullivan, Fiscal Officer:* \_\_\_\_\_



**Hanover Township Butler County, Ohio**

**Resolution No. 47-17**

**Board of Trustees Determination and Decision Regarding a Complaint  
Filed by Andrea Anglin of 1938 Vizedom Road Seeking a Partition Fence Declaration  
Under Chapter 971 of the Ohio Revised Code**

*Whereas*, Andrea Anglin of 1938 Vizedom Road constructed a fence along the property line of 1938 Vizedom Road and 1922 Vizedom Road; and

*Whereas*, Ms. Anglin contacted the Township Administration in early August 2017 to request that the Board of Trustees consider her complaint that she constructed a "Partition Fence" in accordance with Chapter 971 of the Ohio Revised Code and was therefore due payment from Billie Jo Follick of 1922 Vizedom for a portion of the fence cost based upon this ORC chapter; and,

*Whereas*, the Township Administrator on behalf of the Board of Trustees sent notice to both parties on August 4, 2017 informing them of the fence "viewing" set for August 16, 2017 at 4:00PM and first consideration of the matter by the Board during its regularly scheduled meeting on August 16, 2017 at 6:00PM; and,

*Whereas*, the Board, upon receiving comments during the fence viewing from both parties and comments during the August 16, 2017 Board meeting, concluded that an agreement could be reached between the parties prior to any final consideration by the Board; and,

*Whereas*, during a meeting of the parties on October 4, 2017 scheduled by the Township Administrator, Ms. Follick's attorney, Jay Bennett, presented a written agreement essentially addressing all of Ms. Anglin's points of concern; however, Ms. Anglin did not accept the written agreement as she had changed her position regarding the possibility of addressing the issue through such an agreement and preferred to continue to seek reimbursement from Ms. Follick for a portion of the cost of the fence in question; and

*Whereas*, both parties agreed the matter would be presented to the Board of Trustees at its regular meeting scheduled for November 8, 2017 as Mr. Bennett was scheduled to be out of town during the October 18 regular meeting of the Board of Trustees; and

*Whereas*, the matter was taken under consideration on November 8, 2017 by the Board of Trustees with both parties making presentations to the Board and Board Members asking questions of each party; and

*Whereas*, the Board, upon hearing the final presentations and reviewing documents related thereto, stated the Township's legal counsel would be contacted to review the information submitted prior to the Board rendering a decision; and

*Whereas*, after consideration of the questions suggested for review in Chapter 971 of the Ohio Revised Code, the fence viewing, the discussions held with the respective parties, and the written representations submitted, the Board of Trustees has reached its decision,



**Be it Resolved by the Board of Township Trustees of Hanover Township Butler County, Ohio**

**Section I.** Based upon all facts known to the Board, the Board's understanding of provisions of Chapter 971 of the Ohio Revised Code and written documentation submitted, the Board finds that the fence in question at 1938 Vizedom is not a "Partition Fence" as defined in the statute.

**Section II.** The Board hereby denies the complaint and request filed by Andrea Anglin of 1938 Vizedom Road.

**Section III.** The Township Administrator is hereby directed to send a copy of this decision to the parties involved.

**Section IV.** The Township Administrator is hereby directed to send a copy of Resolution No. 47-17 to the Butler County Recorder in accordance with provisions of O.R.C. Sec. 971.09(F).

The foregoing resolution was adopted in an open public meeting and is a reflection of the official action taken by the Board of Trustees of Hanover Township Butler County, Ohio on the 13<sup>th</sup> day of December 2017.


**Board of Trustees**

**Vote**

Fred J. Stitsinger  
Douglas L. Johnson  
Larry Miller

YES  
YES  
YES

**Attest and Authentication:**

  
\_\_\_\_\_  
Gregory D. Sullivan  
Fiscal Officer/Clerk