

TRUSTEES

Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER

Jeffrey D. Baker

ADMINISTRATOR

Jeff Weckbach

Regular Meeting of the Board of Trustees - October 24, 2023

1. **Opening of Meeting**
2. **Executive Session 6PM**
3. **Pledge of Allegiance 7PM**
4. **Meditation (Moment of Silence)**
5. **Approval of Minutes**
6. **Presentations**
 - a. Proclamation - Recognizing Diwali in Colerain Township
 - b. Retirement Proclamation - Police Officer Steven Karwisch
7. **Public Hearings**
 - a. Public Hearing for Zoning Commission Case ZA2023.12, Zoning Text Amendment to Prohibit Recreational Marijuana.
8. **Citizens Address**
9. **Administrative Reports**
10. **Trustees' Report**
11. **New Business**
 - Public Safety**
 - a. Resolution Approving Adoption of the Hamilton County Multi-Hazard Mitigation Plan
 - b. Motion Authorizing Township Administrator to Execute an Agreement with Terracon for Site Testing Services during Construction at Station 26 and Station 102 in a total amount of \$62,050
 - c. Resolution Declaring Nuisance and Ordering Abatement
 - d. Resolution Declaring a Junk Motor Vehicle - 3081 Glenaire Dr. - 1 of 2
 - e. Resolution Declaring a Junk Motor Vehicle - 8863 Planet Dr. - 2 of 2
 - Development**
 - a. Resolution Approving or Denying Zoning Commission Case ZA2023--12, Zoning Text Amendment to the Colerain Township Zoning Resolution to Prohibit Recreational Marijuana
12. **Old Business**
13. **Consent Items**



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- a. Contract - Fraternal Order of Police - Extension Agreement -EXP043024
 - b. Engagement Letter- Plattenburg & Associates- 2023 Financial Statement Preparation - \$7,000
- 14. **Fiscal Office Report**
- 15. **Executive Session** – if needed
- 16. **Adjournment**

PRESENTATIONS

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal:

Proclamation - Recognizing Diwali in Colerain Township
Recommend ADOPTION of the Proclamation.

Rationale:

Diwali is a day of significance for all Hindus across the globe. Colerain has a large population of Hindu residents and it is of importance to the Trustees to recognize and celebrate this day of significance. Diwali occurs on November 12, 2023.

**PROCLAMATION
RECOGNIZING DIWALI IN COLERAIN TOWNSHIP
NOVEMBER 12, 2023**

Hamilton

.....County, Ohio

Colerain

Be It Proclaimed *by the Township Trustees of* *Township, that*

WHEREAS, the Hindu American Foundation and over one billion Hindus worldwide observe the festival of Diwali, the “Festival of Lights”; and

WHEREAS, recognizing the historical significance of Diwali, the US Congress passed a resolution in 2007 to celebrate this day of significance, which has been a part of official White House celebrations since 2007; and

WHEREAS, Diwali renews the commitment to upholding the values of truth, non-harm, charitable giving, and community service; and

WHEREAS, Diwali is a time to recognize the light in our lives that manifest itself in the form of knowledge, peace, compassion, and wellbeing; and

WHEREAS, there is a sizable population of Hindus that have made Colerain their home, many of whom originate from Bhutan, Nepal, and India; and

WHEREAS, Colerain wishes to recognize all of those with a Hindu American heritage and proudly resolves to celebrate Diwali every year.

Be it Proclaimed that the Colerain Township Board of Trustees does hereby recognize November 12, 2023 Diwali in Colerain Township and supports its message of the victory of good over evil, which resonates with the American spirit.

Adopted the 24th day of October, 2023

Attest
Fiscal Officer

Township Trustees

PRESENTATIONS

Department: Police

Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Retirement Proclamation - Police Officer Steven Karwisch

Recommend ADOPTION of the Proclamation.

Rationale:

Recognize Police Officer Steven Karwisch for his 31.5 years of service to the community as he retires on October 31, 2023.

**PROCLAMATION FOR
POLICE OFFICER STEVEN B. KARWISCH
FOR HIS YEARS OF DEDICATED SERVICE
TO COLERAIN TOWNSHIP, OHIO**



- Whereas** Police Officer Steven B. Karwisch was hired on May 3rd of 1992, as an employee of the Colerain Township Police; and
- Whereas** Police Officer Steven B. Karwisch has demonstrated professionalism, allegiance, service, commitment, and excellence through his contributions as a police officer, leader, mentor, colleague, and friend during his tenure with the Department; and
- Whereas** Police Officer Steven B. Karwisch retires on October 31, 2023, after 31.5 years of commendable dedication as a police officer to the Colerain Township community.

Therefore, be it resolved, that the Colerain Township Board of Trustees recognizes Police Officer Steven B. Karwisch as an outstanding employee and that he contributed greatly to our community during his long tenure of public service.

Be it further resolved that in recognition of all that Police Officer Steven B. Karwisch has done for Colerain Township, the Colerain Township Board of Trustees hereby proclaim Tuesday, October 31st, 2023, as a special day of recognition for Steve Karwisch to acknowledge his contributions to our community and wish him continued success and the enjoyment of retirement.

Cathy Ulrich
Trustee

Daniel Unger
Trustee

Matt Wahlert
Trustee

Jeffrey D. Baker
Fiscal Officer

Date: October 24, 2023.



Staff Report:	Zoning Commission
Case #	ZA2023-12
Request:	Zoning Text Amendment
Location:	Colerain Township
Meeting Date:	September 19, 2023
Prepared by:	David Miller Development Director

Applicant:

On July 18, 2023, Colerain Township Staff requested from the Colerain Township Zoning Commission a motion to initiate a text amendment pursuant to *R.C. §519.12;(A);(1)*.

The Zoning Administration hereby presents to the Zoning Commission the proposed text amendments to the Colerain Township Zoning Resolution to more appropriately align the Zoning Resolution with the Township's strategic goals of continuing to provide high quality safety services and of increasing focus on economic development and township prosperity.

Proposed Action:

Colerain Township Staff is proposing a text amendment to Article 8 and Article 16 of the Colerain Township Zoning Resolution that would completely prohibit the use of a property within Colerain Township for any use(s) related to "recreational marijuana."

Case Summary & History:

In early 2023, the Colerain Township Board of Trustees passed a motion initiating a text amendment to ban the use of a property within Colerain Township for the "cultivation, processing or retail dispensing" of recreational marijuana. Trustee Unger made the motion to initiate the text amendment to the Colerain Township Zoning Resolution to preemptively address the legalization of "recreational marijuana," which was then seconded by Trustee Wahlert.

Timeline and Case History:

- March 14, 2023: Trustees discuss "recreational marijuana" and state that they want the Zoning Commission to initiate a text amendment to the Colerain Township Zoning Resolution that will preemptively prohibit the cultivation, processing, or retail sales of "recreational marijuana."
- March – June 2023: Zoning Staff is informed that the Trustees want a text amendment initiated that "prohibits recreational marijuana in all zoning districts."
- June – July 18, 2023: As instructed, Zoning Staff prepares a text amendment for "recreational marijuana."
- July 27, 2023: Public is noticed regarding the Public Hearing scheduled for August 15, 2023.

- August 15, 2023: The first Public Hearing is held by the Zoning Commission on the subject of “recreational marijuana.” The Zoning Commission requested that the Public Hearing be continued until the next meeting for additional time to thoroughly consider the text amendment.

Proposed Sections of the Colerain Township Zoning Resolution Text to Amend:

Colerain Township Trustees request to amend the Colerain Township Zoning Resolution text to better address the following Definition and Uses:

1. Definition: “Recreational Marijuana” definition shall be added to “§16.2 **Definitions**” as “***Recreational Marijuana*** shall mean any use(s) related to the cultivation, processing, or retail sales of marijuana, and any business, building, structure, vehicle, trailer, or land used for the cultivation, processing, or retail sales of recreational marijuana as defined within R.C. §3719, specifically but not limited to, R.C. §3719.01;(M).”
2. Use: Amend Table 8-1 in “§8.2 **Permitted Uses**” to clarify that the growing, sale, and distribution of “Recreational Marijuana,” as defined in R.C. §3719.01, is prohibited in all business, office, and industrial zones.

Use		Zoning District			Additional Regulations	
(“P”, “P*”, “C”)	B-1	B-2	B-3	O-1	I-1	See §16.2 Definitions
<u>Recreational Marijuana</u>						

Staff Findings:

Based upon Staff’s interpretation of the Colerain Township Comprehensive Plan and the Colerain Township Zoning Resolution:

The current Zoning Resolution addresses *Medical Marijuana* but does not address *Recreational Marijuana*. Provided that the legalization of marijuana for recreational use will be on the ballot of the general election on November 7, 2023, preemptively addressing the issue would be a prudent action.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed text amendment to define “*Recreational Marijuana*” and to add “*Recreational Marijuana*” as a prohibited use in all business, office, and industrial districts.

Respectfully submitted for the Colerain Township Zoning Commission's consideration,

A handwritten signature in black ink that reads "David L. Miller". The signature is written in a cursive style with a large, stylized "D" and "M".

David Miller

Development Director

PUBLIC SAFETY

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Resolution Approving Adoption of the Hamilton County Multi-Hazard Mitigation Plan
Recommend ADOPTION of the Resolution.

Rationale:

Hamilton County will update the Hazard Mitigation Plan every five to ten years. This most recent update is requested to be approved by Colerain Township. Adopting this plan will allow the Township to remain in compliance with state and federal EMA regulations, thereby allowing our community to be eligible for funds through grants and as part of any disaster response.

The proposed plan can be viewed online at this link: [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_3788196/File/Government/Departments/EMA/Planning/2023-Hamilton-County-Multi-Hazard-Mitigation-Plan-\(MHMP\).pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_3788196/File/Government/Departments/EMA/Planning/2023-Hamilton-County-Multi-Hazard-Mitigation-Plan-(MHMP).pdf)

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in a regular session at 7:00 p.m., on the _____ day of October, 2023, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Cathy Ulrich, Dan Unger, Matt Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-23

**RESOLUTION ADOPTING THE HAMILTON COUNTY
MULTI-HAZARD MITIGATION PLAN**

WHEREAS, Colerain Township, Ohio is vulnerable to an array of natural, technological, and human-caused hazards that have the potential to cause loss of life and damages to public and private property; and

WHEREAS, the Hamilton County Emergency Management & Homeland Security Agency and the Hazard Mitigation Steering Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Multi-Hazard Mitigation Plan that reviews the options to protect people and property and reduce damage from these hazards; and

WHEREAS, Colerain Township has participated in the planning process for development of this Plan, providing information specific to local and county-wide hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing the draft Plan; and

WHEREAS, the Hamilton County Emergency Management & Homeland Security Agency, with the Hazard Mitigation Steering Committee, has developed the HAMILTON COUNTY MULTI-HAZARD MITIGATION PLAN (the “Plan”) as an official document of the County pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44 CFR 210.6); and

WHEREAS, the Plan has been widely circulated for review by the County’s residents, municipal officials, and regional, state, and federal partner agencies and has been revised to reflect their concerns; and

WHEREAS, the Ohio Emergency Management Agency and the Federal Emergency Management Agency have reviewed the Plan for legislative compliance and approved the plan pending the completion of local adoption procedures.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Hamilton County Multi-Hazard Mitigation Plan is hereby adopted as an official plan of Colerain Township.
2. The Colerain Township Fire Department is charged with supervising the implementation of the Plan's recommendations, as they pertain to Colerain Township and within the funding limitations as provided by the Board of Township Trustees or other sources.
3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Trustee_____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich_____, Mr. Unger_____, Mr. Wahlert_____,

ADOPTED this ____ day of October, 2023.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matt Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott Sollmann (0081467)

5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Assistant Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this ____ day of October, 2023.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Administration
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Motion Authorizing Township Administrator to Execute an Agreement with Terracon for Site Testing Services during Construction at Station 26 and Station 102 in a total amount of \$62,050

Recommend ADOPTION of the Motion.

Rationale:

The attached agreement with Terracon will allow for site and soil testing throughout the duration of the construction of Station 26 and Station 102. The total cost is \$62,050 and this cost was planned for as part of the overall total project costs and will be paid for from soft costs.

Colerain Township Fire Stations 26 & 102

Colerain Township
Hamilton County, Ohio

PN1231612 – Revision 1
October 11, 2023

611 Lunken Park Drive
Cincinnati, OH 45226
P (513) 321 5816



Nationwide
[Terracon.com](https://www.terracon.com)

- Facilities
- Environmental
- Geotechnical
- Materials



611 Lunken Park Drive
Cincinnati, OH 45226
Phone (513) 321 5816
FAX (513) 321 0294
Terracon.com

October 11, 2023

Colerain Township
4200 Springdale Rd.
Colerain Township, OH 45251

Attn: Mr. Jeff Weckbach
E: jweckbach@colerain.org
P: 513.923.5016

**Re: Cost Estimate Proposal for Special Inspections & Construction Materials Testing
Colerain Township Fire Stations 26 & 102
Colerain Township, Hamilton County, Ohio
Terracon Proposal No. PN1231612 – Revision 1**

Dear Mr. Weckbach,

Terracon Consultants appreciates the opportunity to provide you with our unit rates and estimated costs for the Special Inspection & Construction Materials Testing services for the Colerain Township Fire Station 26 and 102 Projects.

Project Information

The project consists of the construction of two, single story pre-engineered metal building fire stations of approximately 16,150 gross SF and 13,000 gross SF.

For this estimate, Terracon utilized the following documents:

- FS26 Drawings, 95% Submission
- FS26 Specifications, 95% Submission
- FS102 Drawings, 95% Submission
- FS102 Specifications, 95% Submission
- Pepper Construction Project Schedule
- Terracon Geotechnical Report N1235017

General Firm Information



History

Terracon is a 100% employee-owned consulting engineering firm providing quality services to clients. Since 1965, Terracon has evolved into a successful multi-discipline firm specializing in:

- Environmental
- Geotechnical
- Materials
- Facilities



In January 2007, H.C. Nutting joined Terracon Consultants, one of the nation's largest employee-owned engineering consulting firms.

Over its history, Terracon has achieved significant expansion through both internal growth and acquisitions. Terracon has more than 5,000 employees providing environmental, facilities, geotechnical, and materials services from more than 160 offices nationwide, including three offices in Ohio. Additionally, we partner with our U.S. clients to serve their international needs. The firm's success is further evidenced by a current ranking of 24 in *Engineering News-Record's* 2021 listing of the Top 500 Design Firms, as compared to a ranking of 50 over a decade ago. Terracon's growth is due to dedicated employees who are responsive to clients, provide quality services, and take advantage of opportunities in the marketplace.

Terracon provides services on thousands of projects each year. Our culture, systems, and structure enable us to excel at both small and large projects. By combining our national resources with specific local area expertise, we consistently overcome obstacles and deliver the results our clients expect.

Terracon serves a diverse portfolio of private and public clients. By being responsive, resourceful, and reliable, we strive to exceed our clients' expectations for service, solutions, quality, and speed of delivery. Based on a deep understanding of our client's needs, Terracon's commitment is centered around these key objectives.

Safety

Safety is one of Terracon's core values and our commitment to an "*Incident and Injury-Free (IIF)*" philosophy is one of the pillars of our culture. Successful execution and delivery include the need to work safely and keep our employees and the public safe every day. Terracon is very much a safety-oriented company. We strive to build health and safety into all aspects of our business and into the thinking of our employees. The culture is continued further in our everyday work culture, with all meetings beginning with an *IIF* moment and safety discussion.



What is Incident and Injury-Free (IIF)?

IIF is about care and concern for people. It is our personal and organizational commitment at all levels of the company to everyone going home safe to their family every day. It is where safety is held as a core value as well as an operational priority. Working safely is an inseparable part of working correctly, just as much as other operational priorities, in particular quality, budget, and schedule. *IIF* is our commitment to our people, who we value for who they are and what they do.

Conducting our work safely means conducting our work in the only acceptable way. Incidents, injuries, and accidents will not be viewed as problems to make go away, but as opportunities to strengthen *IIF*. *IIF* is about developing a mindset intolerant of any incidents or injuries no matter how minor or infrequent.

Our Rules to Live By

IIF is about Our Rules to Live By and is at the foundation of Terracon's *IIF* culture. These give employees clear, specific ways to stay safe on the job, covering essential aspects of safety including personal protective equipment (PPE), equipment and tools, working at heights and depths, motorized vehicle safety, and reporting of injuries. We regularly follow and discuss *Our Rules to Live By* in our offices and on job sites to ensure everyone is following these fundamental rules. Our focus on pre-task planning also serves to reinforce this message every day.

We cannot just tell someone to "be safe." We can request our employees follow *Our Rules to Live By*. These rules include pre-task planning for each task every day, as well as following the safe work practices they have been trained to follow to complete work at a task level. Our Rules to Live By have made a measurable difference in keeping our employees safe and in helping us preserve the trust and business with our clients.

Scope of Services

Our approach to providing Special Inspections & Construction Materials Testing services is to assign qualified engineering technicians to perform the required testing and observations for your project. Field and laboratory testing and observation will be performed in general accordance with site specifications, the criteria outlined in the geotechnical report, specifications, as mentioned below, and our experience with similar projects. The technicians assigned to the project will be qualified and equipped to perform the following field services:

Soils Observations and Testing:

- Sample earthwork material including natural subgrade soils, fill soils, and backfill material for utilities and excavations.
- Observe undercutting & proof rolling operations to identify soft and/or yielding areas.
- Perform in-situ nuclear density tests to determine the moisture content and percent compaction of the soil (ASTM D698).
- Observe subgrade proof rolls, where applicable, to confirm stability.

Foundation Monitoring and Testing:

- Monitor the installation of shallow spread footings and column pads.
- Perform compressive tests of concrete test cylinders cast in the field (ASTM C39) during concrete placement for footings.
- Observe reinforcing steel placement in the footings.

Reinforced Cast-In-Place Concrete Observations and Testing:

- Sample fresh concrete and perform field tests including slump, air content, unit weight, and temperature of structural concrete (ASTM C172, C143, C231, C567, C138, and C1064).
- Cast test specimens during placements at a rate of 1 set of 5 (4"x8") cylinders for each 100 cubic yards of concrete placed (ACI 318) or 1 set per day minimum.
- Perform compressive strength tests of concrete test cylinders cast in the field (ASTM C39).
- Observe reinforcing steel placement in structural concrete.

Structural Steel Observations and Testing:

- Visually check bolted/welded connections in accordance with applicable AISC and AWS specifications for structural framing at the project site.
- Testing of welds will be performed in accordance with AWS requirements at the project site.

Cold-Formed Steel Framing:

- Visually check screw, bolting, anchoring of straps, hold-downs, braced, drag struts, roof, walls, and floor attachments.

Masonry Installation and Monitoring:

- Observe the construction of concrete masonry walls to document mixing of site mortar and grout, size, location, and positioning of vertical and horizontal reinforcing, hot and cold weather protection of masonry, and grouting of cells.
- Cast test specimens of mortar for compressive strength testing at a rate of 1 set of 3 2" x 2" cubes for each 5000 square foot of wall area (ASTM C780).
- Cast test specimens of grout for compressive strength testing at a rate of 1 set of grout prisms for each 5000 square foot of wall area (ASTM C1019).

Parking Lot Grading, Utility Backfill, Asphalt Pavements, Site Concrete Rigid Pavements:

- Observe proof-rolling of subgrades in the parking and access roads to identify any unstable materials prior to stone base placement.
- Perform field density testing of new pavement stone base and confirm compaction of new asphalt surface and binder materials.
- Sample fresh concrete and perform field tests including slump, air content and temperature (ASTM C172, C143, C173, and C1064).
- Cast concrete test specimens during placements at a rate as noted in section 4 above.
- Perform concrete compressive strength tests at frequencies as noted in section 4 above.

Special Inspection Reporting:

- Professional review and preparation of daily field and laboratory test reports for Special Inspection requirements.
- Distribute digital Terracon reports to a client-specified list, including interim summary letters and the final summary letter at project completion.
- Maintenance and distribution of a bi-weekly deficiency log containing deficiencies, locations, dates noted, and status (corrected or open) of non-conformance items.

Benefits of working with Terracon include:

- **Responsiveness:** Acting quickly to meet your deadlines, our **employee-owners** are always available to you. We can quickly mobilize a workforce to respond to accelerated schedules and your changing needs.
- **Resourcefulness:** Applying new processes, methodologies, and techniques allows us to take a proactive approach to communicating test results, tracking deviations, solving project challenges, and delivering your projects better and faster. Our Cincinnati Office contains one of the largest accredited laboratories in the mid-west region.
- **Reliability:** With vast experience working in the region, Terracon is a dependable partner throughout the life of your project. We deliver consistently accurate and timely test results and communication of site findings. Our team of testing engineers offers practical and constructible solutions to construction materials problems that occur while avoiding delays and surprises, and costly mistakes down the road.

REASONS TO SELECT TERRACON AS YOUR PROJECT PARTNER –

- Expedient and Responsive report delivery. Terracon digitally reviews, signs, and distributes the reports as PDF files.
- Vast local experience with various sizes and types of projects performing Special Inspection and Construction Materials Testing services, so we understand that detailed deliverables and communication, and staffing resources are critical to the construction path.
- The Cincinnati Terracon office currently has over sixty (60) technicians with various certifications and in-house training, including ODOT, KYTC, ICC, AWS, ACI, and NICET.
- Terracon is fully committed to the safety of all its employees through our commitment to our Incident and Injury Free® (IIF) safety culture.

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1

- Numerous multi-discipline local staff, and national resources. Our technicians are also trained and certified in other aspects of this project that will require inspection and testing, including reinforced concrete and concrete testing. Using multi-disciplined technicians saves clients' money by utilizing site personnel already on-site thus eliminating the need for additional personnel.
- Completely in-house testing services.
- Terracon's Cincinnati, Ohio laboratory is accredited through AMRL (AASHTO), CCRL, and the US Army Corps of Engineers for soils, concrete, asphalt, steel, and fireproofing all of which require QC testing on this project
- All digital reports will be provided at no additional cost.

ADDITIONAL SERVICES:

If you would like us to do additional work, let us know and we will issue a short Supplement to Agreement form, or Supplemental Proposal, that outlines the additional work to be performed and associated fees. To authorize us to begin work, you simply return a signed copy of the Supplement.

Field testing will be provided on an "as requested" basis when scheduled by your representative. A minimum of 24 hours' notice is required to properly schedule our services.

We will only provide testing when called by your on-site representative and are unable to be responsible for required testing if we are not scheduled.

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1



Compensation

Our services will be provided on a unit-rate basis in accordance with the attached unit-rate schedule. We have developed a budget based on assumptions derived from the project drawings, project specifications, project schedule and our experience on similar projects.

Please recognize that this is only an estimate. We will only invoice for the time expended for the above-indicated services on a Time and Expenses basis and factors considered out of our control such as weather and the contractor's schedule, will dictate the final fee for our services. Quantities for re-tests, re-inspection, and stand-by time are not included in our cost estimate.

Based on the above information, we recommend a Special Inspection & Construction Materials Testing budget for **\$62,050.00**, as detailed in the cost estimate attached.

We appreciate the opportunity to provide this proposal and look forward to continuing to provide our professional services of your project. Please call us at 513-612-9027 if you have any questions or comments regarding this proposal.

Thank you for your consideration.

Sincerely,

Terracon Consultants, Inc.

Louis Perry, P.E.
Project Manager

Deron Buchanan
Authorized Project Reviewer

Attachments: Unit Rates
 Cost Estimate
 Authorization for Services

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1



UNIT RATE FEE SCHEDULE

Field Personnel Fees

Multi-Discipline Technician	\$65.00/hour
Senior Technician	\$100.00/hour
Structural Inspector (CWI)	\$100.00/hour
Field Supervisor	\$110.00/hour

Professional Personnel Fees

Project Manager	\$140.00/hour
Administration	\$60.00/hour
Principal Engineer	\$200.00/hour
Materials Engineer	\$160.00/hour

Miscellaneous Fees

Nuclear Density Gauge	\$20.00/day
Vehicle	\$35.00/trip

Laboratory Fees

Standard Proctor 4-inch Mold (ASTM D698)	\$150.00/each
Standard Proctor 6-inch Mold (ASTM D698)	\$175.00/each
Atterberg Limits (ASTM D4318)	\$75.00/each

Concrete Cylinders

Sampling and Testing ASTM C-31, C-39, C-143, C-172. Cylinders will be cast and picked up plus all field tests conducted at the technician rate plus mileage charge.

Compression Testing of 4x8 Cylinders	\$25.00/each
Compression Testing of 6x12 Cylinders	\$55.00/each
2-inch Cubes (ASTM C109)	\$25.00/each
Grout Prisms	\$35.00/each

* Field Personnel rates include vehicle and equipment fees.

Overtime more than 8 hours per day, Saturdays, Sundays & Holidays will be billed at the referenced rates + 50%, as well as services performed between the hours of 8:00 pm and 6:00 am. A 4 four-minute charge applies to technician services above.

The fees, hourly rates, and other charges for the services furnished under this cost estimate agreement are derived from the customary hourly wages paid to our technical staff. These rates are not formulated to comply with any prevailing wage rates or union-scale wages. In the unlikely event that it is later determined that prevailing wage/union-scale rates are required under this agreement, then a retroactive equitable adjustment in the hourly fees will be made if the current wage rates are less than the wages required to be paid under prevailing wage rates.

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1



Fee Estimate

Materials Services
Colerain Township Fire Stations 26
Terracon Proposal No. PN1231612

DESCRIPTION	RATE	QTY	UNITS	TRIPS	Total QTY	TOTAL
Earthwork & Site Utilities						
Project Technician	\$ 65.00	8.00	hours	20	160.00	\$10,400.00
Standard Proctor	\$ 150.00	3.00	tests	1	3.00	\$450.00
Atterberg Limits Determination	\$ 75.00	3.00	tests	1	3.00	\$225.00
Vehicle	\$ 35.00	1.00	trips	20	20.00	\$700.00
Nuclear Gauge (Equipment)	\$ 20.00	1.00	days	20	20.00	\$400.00
Sub Total						\$12,175.00
Foundations						
Project Technician	\$ 65.00	8.00	hours	5	40.00	\$2,600.00
Compressive Strength of 4" x 8" c	\$ 25.00	5.00	tests	5	25.00	\$625.00
Vehicle	\$ 35.00	1.00	trips	5	5.00	\$175.00
Sub Total						\$3,400.00
Slab on Grade						
Project Technician	\$ 65.00	8.00	hours	2	16.00	\$1,040.00
Compressive Strength of 4" x 8" c	\$ 25.00	25.00	tests	2	50.00	\$1,250.00
Vehicle	\$ 35.00	1.00	trips	2	2.00	\$70.00
Sub Total						\$2,360.00
Structural Steel/Metal Decking						
Structural Inspector (CWI)	\$ 100.00	4.00	hours	3	12.00	\$1,200.00
Vehicle	\$ 35.00	1.00	trips	3	3.00	\$105.00
Sub Total						\$1,305.00
Masonry						
Senior Technician	\$ 100.00	8.00	hours	5	40.00	\$4,000.00
Compressive Strength of 2 inch M	\$ 25.00	3.00	tests	5	15.00	\$375.00
Compressive Strength of 3x6 inch	\$ 35.00	3.00	tests	5	15.00	\$525.00
Vehicle	\$ 35.00	1.00	trips	5	5.00	\$175.00
Sub Total						\$5,075.00
Site Concrete & Paving						
Project Technician	\$ 65.00	8.00	hours	3	24.00	\$1,560.00
Vehicle	\$ 35.00	1.00	trip	3	3.00	\$105.00
Nuclear Gauge (Equipment)	\$ 20.00	1.00	days	3	3.00	\$60.00
Sub Total						\$1,725.00
Project Management & Administr						
Project Manager	\$ 140.00	25.00	hours	1	25.00	\$3,500.00
Administration/Dispatch	\$ 60.00	12.00	hours	1	12.00	\$720.00
Field Supervisor	\$ 110.00	2.00	hours	3	6.00	\$660.00
Vehicle	\$ 35.00	1.00	trips	3	3.00	\$105.00
Sub Total						\$4,985.00
Total - Fire Station 26						\$31,025.00

Explore with us

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1



Fee Estimate						
Materials Services						
Colerain Township Fire Stations 102						
Terracon Proposal No. PN1231612						
DESCRIPTION	RATE	QTY	UNITS	TRIPS	Total QTY	TOTAL
Earthwork & Site Utilities						
Project Technician	\$ 65.00	8.00	hours	20	160.00	\$10,400.00
Standard Proctor	\$ 150.00	3.00	tests	1	3.00	\$450.00
Atterberg Limits Determination	\$ 75.00	3.00	tests	1	3.00	\$225.00
Vehicle	\$ 35.00	1.00	trips	20	20.00	\$700.00
Nuclear Gauge (Equipment)	\$ 20.00	1.00	days	20	20.00	\$400.00
Sub Total						\$12,175.00
Foundations						
Project Technician	\$ 65.00	8.00	hours	5	40.00	\$2,600.00
Compressive Strength of 4" x 8" i	\$ 25.00	5.00	tests	5	25.00	\$625.00
Vehicle	\$ 35.00	1.00	trips	5	5.00	\$175.00
Sub Total						\$3,400.00
Slab on Grade						
Project Technician	\$ 65.00	8.00	hours	2	16.00	\$1,040.00
Compressive Strength of 4" x 8" i	\$ 25.00	25.00	tests	2	50.00	\$1,250.00
Vehicle	\$ 35.00	1.00	trips	2	2.00	\$70.00
Sub Total						\$2,360.00
Structural Steel/Metal Decking						
Structural Inspector (CWI)	\$ 100.00	4.00	hours	3	12.00	\$1,200.00
Vehicle	\$ 35.00	1.00	trips	3	3.00	\$105.00
Sub Total						\$1,305.00
Masonry						
Senior Technician	\$ 100.00	8.00	hours	5	40.00	\$4,000.00
Compressive Strength of 2 inch M	\$ 25.00	3.00	tests	5	15.00	\$375.00
Compressive Strength of 3x6 incl	\$ 35.00	3.00	tests	5	15.00	\$525.00
Vehicle	\$ 35.00	1.00	trips	5	5.00	\$175.00
Sub Total						\$5,075.00
Site Concrete & Paving						
Project Technician	\$ 65.00	8.00	hours	3	24.00	\$1,560.00
Vehicle	\$ 35.00	1.00	trip	3	3.00	\$105.00
Nuclear Gauge (Equipment)	\$ 20.00	1.00	days	3	3.00	\$60.00
Sub Total						\$1,725.00
Project Management & Administr						
Project Manager	\$ 140.00	25.00	hours	1	25.00	\$3,500.00
Administration/Dispatch	\$ 60.00	12.00	hours	1	12.00	\$720.00
Field Supervisor	\$ 110.00	2.00	hours	3	6.00	\$660.00
Vehicle	\$ 35.00	1.00	trips	3	3.00	\$105.00
Sub Total						\$4,985.00
Total - Fire Station 102						\$31,025.00
Grand Total Estimate						\$62,050.00

Explore with us

Proposal for Special Inspections & Construction Materials Testing

Colerain Fire Stations 26 and 102

October 11, 2023 | Terracon Proposal No. PN1231612 – Revision 1

Budget Assumptions:

- Approximately 2 hours per week for Project Management time.
- Approximately 1 hour per week for Administration time.
- Approxiamtely 3 visits for Technician Supervisor to perform field quality and safety check per site.
- Assume 3 soils samples for proctors and limits per site.
- Assume 2 SOG pours per site.

The following items were not included in the cost estimate and could be provided upon request at the unit rates shown on the unit rate sheet.

- No time has been budgeted for FF/FL
- No time has been budgeted for Geopier observations and inspections.
- No time has been budgeted for re-inspections.
- No time was budgeted for in-place concrete strength testing.
- No time has been budgeted for flowable fill testing.
- No time has been budgeted for Relative Humidity.
- No time has been budgeted for shop inspections of structural steel.
- No time has been budgeted for concrete curb or concrete sidewalk.

The above quantities and total are only an estimate based upon project drawings and specifications. Actual units used during construction may vary from the estimated above.

Add Alternative 1: Fire Stopping

It is our belief, based on past experience, that fire stopping inspection(s) is required. Upon request, Terracon will gladly provide this work for the client. Our estimated cost for this add alternative is provided below.

Fire Stopping							
Senior Technician	\$	100.00	4.00	hours	4	16.00	\$1,600.00
Vehicle	\$	35.00	1.00	trips	4	4.00	\$140.00
Sub Total							\$1,740.00

AGREEMENT FOR SERVICES

This **AGREEMENT** is between Colerain Township OH ("Client") and Terracon Consultants, Inc. ("Consultant") for Services to be provided by Consultant for Client on the Colerain Township Fire Stations 26 & 102 project ("Project"), as described in Consultant's Proposal dated 10/11/2023 ("Proposal"), including but not limited to the Project Information section, unless the Project is otherwise described in Exhibit A to this Agreement (which section or Exhibit is incorporated into this Agreement).

- 1. Scope of Services.** The scope of Consultant's services is described in the Proposal, including but not limited to the Scope of Services section ("Services"), unless Services are otherwise described in Exhibit B to this Agreement (which section or exhibit is incorporated into this Agreement). Portions of the Services may be subcontracted. Consultant's Services do not include the investigation or detection of, nor do recommendations in Consultant's reports address the presence or prevention of biological pollutants (e.g., mold, fungi, bacteria, viruses, or their byproducts) or occupant safety issues, such as vulnerability to natural disasters, terrorism, or violence. If Services include purchase of software, Client will execute a separate software license agreement. Consultant's findings, opinions, and recommendations are based solely upon data and information obtained by and furnished to Consultant at the time of the Services.
- 2. Acceptance/ Termination.** Client agrees that execution of this Agreement is a material element of the consideration Consultant requires to execute the Services, and if Services are initiated by Consultant prior to execution of this Agreement as an accommodation for Client at Client's request, both parties shall consider that commencement of Services constitutes formal acceptance of all terms and conditions of this Agreement. Additional terms and conditions may be added or changed only by written amendment to this Agreement signed by both parties. In the event Client uses a purchase order or other form to administer this Agreement, the use of such form shall be for convenience purposes only and any additional or conflicting terms it contains are stricken. This Agreement shall not be assigned by either party without prior written consent of the other party. Either party may terminate this Agreement or the Services upon written notice to the other. In such case, Consultant shall be paid costs incurred and fees earned to the date of termination plus reasonable costs of closing the Project.
- 3. Change Orders.** Client may request changes to the scope of Services by altering or adding to the Services to be performed. If Client so requests, Consultant will return to Client a statement (or supplemental proposal) of the change setting forth an adjustment to the Services and fees for the requested changes. Following Client's review, Client shall provide written acceptance. If Client does not follow these procedures, but instead directs, authorizes, or permits Consultant to perform changed or additional work, the Services are changed accordingly and Consultant will be paid for this work according to the fees stated or its current fee schedule. If project conditions change materially from those observed at the site or described to Consultant at the time of proposal, Consultant is entitled to a change order equitably adjusting its Services and fee.
- 4. Compensation and Terms of Payment.** Client shall pay compensation for the Services performed at the fees stated in the Proposal, including but not limited to the Compensation section, unless fees are otherwise stated in Exhibit C to this Agreement (which section or Exhibit is incorporated into this Agreement). If not stated in either, fees will be according to Consultant's current fee schedule. Fee schedules are valid for the calendar year in which they are issued. Fees do not include sales tax. Client will pay applicable sales tax as required by law. Consultant may invoice Client at least monthly and payment is due upon receipt of invoice. Client shall notify Consultant in writing, at the address below, within 15 days of the date of the invoice if Client objects to any portion of the charges on the invoice, and shall promptly pay the undisputed portion. Client shall pay a finance fee of 1.5% per month, but not exceeding the maximum rate allowed by law, for all unpaid amounts 30 days or older. Client agrees to pay all collection-related costs that Consultant incurs, including attorney fees. Consultant may suspend Services for lack of timely payment. It is the responsibility of Client to determine whether federal, state, or local prevailing wage requirements apply and to notify Consultant if prevailing wages apply. If it is later determined that prevailing wages apply, and Consultant was not previously notified by Client, Client agrees to pay the prevailing wage from that point forward, as well as a retroactive payment adjustment to bring previously paid amounts in line with prevailing wages. Client also agrees to defend, indemnify, and hold harmless Consultant from any alleged violations made by any governmental agency regulating prevailing wage activity for failing to pay prevailing wages, including the payment of any fines or penalties.
- 5. Third Party Reliance.** This Agreement and the Services provided are for Consultant and Client's sole benefit and exclusive use with no third party beneficiaries intended. Reliance upon the Services and any work product is limited to Client, and is not intended for third parties other than those who have executed Consultant's reliance agreement, subject to the prior approval of Consultant and Client.
- 6. LIMITATION OF LIABILITY. CLIENT AND CONSULTANT HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING CONSULTANT'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE ASSOCIATED RISKS. TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF CONSULTANT (AND ITS RELATED CORPORATIONS AND EMPLOYEES) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE GREATER OF \$10,000 OR CONSULTANT'S FEE, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF CONSULTANT'S SERVICES OR THIS AGREEMENT. PRIOR TO ACCEPTANCE OF THIS AGREEMENT AND UPON WRITTEN REQUEST FROM CLIENT, CONSULTANT MAY NEGOTIATE A HIGHER LIMITATION FOR ADDITIONAL CONSIDERATION IN THE FORM OF A SURCHARGE TO BE ADDED TO THE AMOUNT STATED IN THE COMPENSATION SECTION OF THE PROPOSAL. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE PROFESSIONAL LIABILITY INSURANCE COVERAGE, CAUSE(S), OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY. THIS LIMITATION SHALL NOT APPLY TO THE EXTENT THE DAMAGE IS PAID UNDER CONSULTANT'S COMMERCIAL GENERAL LIABILITY POLICY.**
- 7. Indemnity/Statute of Limitations.** Consultant and Client shall indemnify and hold harmless the other and their respective employees from and against legal liability for claims, losses, damages, and expenses to the extent such claims, losses, damages, or expenses are legally determined to be caused by their negligent acts, errors, or omissions. In the event such claims, losses, damages, or expenses are legally determined to be caused by the joint or concurrent negligence of Consultant and Client, they shall be borne by each party in proportion to its own negligence under comparative fault principles. Neither party shall have a duty to defend the other party, and no duty to defend is hereby created by this indemnity provision and such duty is explicitly waived under this Agreement. Causes of action arising out of Consultant's Services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity or other recovery shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of Consultant's substantial completion of Services on the project.
- 8. Warranty.** Consultant will perform the Services in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions in the same locale. **EXCEPT FOR THE STANDARD OF CARE PREVIOUSLY STATED, CONSULTANT MAKES NO WARRANTIES OR GUARANTEES, EXPRESS OR IMPLIED, RELATING TO CONSULTANT'S SERVICES AND CONSULTANT DISCLAIMS ANY IMPLIED WARRANTIES OR WARRANTIES IMPOSED BY LAW, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**
- 9. Insurance.** Consultant represents that it now carries, and will continue to carry: (i) workers' compensation insurance in accordance with the laws of the states having jurisdiction over Consultant's employees who are engaged in the Services, and employer's liability insurance (\$1,000,000); (ii) commercial general liability insurance (\$2,000,000 occ / \$4,000,000 agg); (iii) automobile liability insurance (\$2,000,000 B.I. and P.D. combined single limit); (iv) umbrella liability (\$5,000,000 occ / agg); and (v) professional liability insurance (\$1,000,000 claim / agg). Certificates of insurance will be provided upon request. Client and Consultant shall waive subrogation against the other party on all general liability and property coverage.

- 10. CONSEQUENTIAL DAMAGES.** NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE; LOSS OF USE OR OPPORTUNITY; LOSS OF GOOD WILL; COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES; COST OF CAPITAL; OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.
- 11. Dispute Resolution.** Client shall not be entitled to assert a Claim against Consultant based on any theory of professional negligence unless and until Client has obtained the written opinion from a registered, independent, and reputable engineer, architect, or geologist that Consultant has violated the standard of care applicable to Consultant's performance of the Services. Client shall provide this opinion to Consultant and the parties shall endeavor to resolve the dispute within 30 days, after which Client may pursue its remedies at law. This Agreement shall be governed by and construed according to Ohio law.
- 12. Subsurface Explorations.** Subsurface conditions throughout the site may vary from those depicted on logs of discrete borings, test pits, or other exploratory services. Client understands Consultant's layout of boring and test locations is approximate and that Consultant may deviate a reasonable distance from those locations. Consultant will take reasonable precautions to reduce damage to the site when performing Services; however, Client accepts that invasive services such as drilling or sampling may damage or alter the site. Site restoration is not provided unless specifically included in the Services.
- 13. Testing and Observations.** Client understands that testing and observation are discrete sampling procedures, and that such procedures indicate conditions only at the depths, locations, and times the procedures were performed. Consultant will provide test results and opinions based on tests and field observations only for the work tested. Client understands that testing and observation are not continuous or exhaustive, and are conducted to reduce - not eliminate - project risk. Client shall cause all tests and inspections of the site, materials, and Services performed by Consultant to be timely and properly scheduled in order for the Services to be performed in accordance with the plans, specifications, contract documents, and Consultant's recommendations. No claims for loss or damage or injury shall be brought against Consultant by Client or any third party unless all tests and inspections have been so performed and Consultant's recommendations have been followed. Unless otherwise stated in the Proposal, Client assumes sole responsibility for determining whether the quantity and the nature of Services ordered by Client is adequate and sufficient for Client's intended purpose. Client is responsible (even if delegated to contractor) for requesting services, and notifying and scheduling Consultant so Consultant can perform these Services. Consultant is not responsible for damages caused by Services not performed due to a failure to request or schedule Consultant's Services. Consultant shall not be responsible for the quality and completeness of Client's contractor's work or their adherence to the project documents, and Consultant's performance of testing and observation services shall not relieve Client's contractor in any way from its responsibility for defects discovered in its work, or create a warranty or guarantee. Consultant will not supervise or direct the work performed by Client's contractor or its subcontractors and is not responsible for their means and methods. The extension of unit prices with quantities to establish a total estimated cost does not guarantee a maximum cost to complete the Services. The quantities, when given, are estimates based on contract documents and schedules made available at the time of the Proposal. Since schedule, performance, production, and charges are directed and/or controlled by others, any quantity extensions must be considered as estimated and not a guarantee of maximum cost.
- 14. Sample Disposition, Affected Materials, and Indemnity.** Samples are consumed in testing or disposed of upon completion of the testing procedures (unless stated otherwise in the Services). Client shall furnish or cause to be furnished to Consultant all documents and information known or available to Client that relate to the identity, location, quantity, nature, or characteristic of any hazardous waste, toxic, radioactive, or contaminated materials ("Affected Materials") at or near the site, and shall immediately transmit new, updated, or revised information as it becomes available. Client agrees that Consultant is not responsible for the disposition of Affected Materials unless specifically provided in the Services, and that Client is responsible for directing such disposition. In no event shall Consultant be required to sign a hazardous waste manifest or take title to any Affected Materials. Client shall have the obligation to make all spill or release notifications to appropriate governmental agencies. The Client agrees that Consultant neither created nor contributed to the creation or existence of any Affected Materials conditions at the site and Consultant shall not be responsible for any claims, losses, or damages allegedly arising out of Consultant's performance of Services hereunder, or for any claims against Consultant as a generator, disposer, or arranger of Affected Materials under federal, state, or local law or ordinance.
- 15. Ownership of Documents.** Work product, such as reports, logs, data, notes, or calculations, prepared by Consultant shall remain Consultant's property. Proprietary concepts, systems, and ideas developed during performance of the Services shall remain the sole property of Consultant. Files shall be maintained in general accordance with Consultant's document retention policies and practices.
- 16. Utilities.** Unless otherwise stated in the Proposal, Client shall provide the location and/or arrange for the marking of private utilities and subterranean structures. Consultant shall take reasonable precautions to avoid damage or injury to subterranean structures or utilities. Consultant shall not be responsible for damage to subterranean structures or utilities that are not called to Consultant's attention, are not correctly marked, including by a utility locate service, or are incorrectly shown on the plans furnished to Consultant.
- 17. Site Access and Safety.** Client shall secure all necessary site related approvals, permits, licenses, and consents necessary to commence and complete the Services and will execute any necessary site access agreement. Consultant will be responsible for supervision and site safety measures for its own employees, but shall not be responsible for the supervision or health and safety precautions for any third parties, including Client's contractors, subcontractors, or other parties present at the site. In addition, Consultant retains the right to stop work without penalty at any time Consultant believes it is in the best interests of Consultant's employees or subcontractors to do so in order to reduce the risk of exposure to unsafe site conditions. Client agrees it will respond quickly to all requests for information made by Consultant related to Consultant's pre-task planning and risk assessment processes.

Consultant: **Terracon Consultants, Inc.**

By: _____ Date: **10/11/2023**

Name/Title: **Deron S Buchanan / Project Manager**

Address: **611 Lunken Park Dr**
Cincinnati, OH 45226-1813

Phone: **(513) 321-5816** Fax: **(513) 321-0294**

Email: **Deron.Buchanan@terracon.com**

Client: **Colerain Township OH**

By: _____ Date: _____

Name/Title: **Jeff Weckbach /**

Address: **4200 Springdale Rd**
Colerain Township, OH 45251

Phone: **(513) 923-5016** Fax: _____

Email: **jweckbach@colerain.org**

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Resolution Declaring Nuisance and Ordering Abatement
Recommend ADOPTION of the Resolution.

Rationale:
This resolution allows for the removal of uncontrolled vegetation and/or refuse at the following properties:

10534 Breedshill Dr.	510-0032-0060-00
10023 Crusader Dr.	510-0041-0148-00
3095 Lapland Dr.	510-0070-0108-00
9936 Loralinda Dr.	510-0112-0206-00
3045 West Galbraith Rd.	510-0071-0082-00
3091 West Galbraith Rd.	510-0071-0079-00

All properties that are abated by the Township will have their property taxes assessed in order to reimburse the Township for the abatement services. This resolution and the Township's abatement process comport with the Ohio Revised Code for nuisance violations.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the ____ day of _____, 202_, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
10534 Breedshill Dr.	510-0032-0060-00
10023 Crusader Dr.	510-0041-0148-00
3095 Lapland Dr.	510-0070-0108-00
9936 Loralinda Dr.	510-0112-0206-00
3045 West Galbraith Rd.	510-0071-0082-00
3091 West Galbraith Rd.	510-0071-0079-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the

meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;

2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;

3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

5. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____, seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich_____, Mr. Unger_____, Mr. Wahlert_____

ADOPTED this ____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)

Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Resolution Declaring a Junk Motor Vehicle - 3081 Glenaire Dr. - 1 of 2
Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

3081 Glenaire Dr. Cincinnati, OH 45251

1. **(OH) 223XKB, 2005, BLACK, FORD, FOCUS**

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 3081 Glenaire Dr. Cincinnati, OH 45251 – Parcel ID 510-0052-0629-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **3081 Glenaire Dr. Cincinnati, OH 45251 – Parcel ID 510-0052-0629-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **3081 Glenaire Dr. Cincinnati, OH 45251 – Parcel ID 510-0052-0629-00** to be inoperable, extensively damages, and at least three model years old:

A. **(OH) 223XKB, 2005, BLACK, FORD, FOCUS**

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.
3. The written notice shall contain the following information:

- a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
 5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
 6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
 7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
 8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Resolution Declaring a Junk Motor Vehicle - 8863 Planet Dr. - 2 of 2

Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

8863 Planet Dr. Cincinnati, OH 45231

1. **(OH) GZE1075, 2014, BLACK, DODGE, DART**

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 8863 Planet Dr. Cincinnati, OH 45231 – Parcel ID 510-0062-0079-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **8863 Planet Dr. Cincinnati, OH 45231 – Parcel ID 510-0062-0079-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

The Board declares the junk motor vehicle located at **8863 Planet Dr. Cincinnati, OH 45231 – Parcel ID 510-0062-0079-00** to be inoperable, extensively damages, and at least three model years old:

A. (OH) GZE1075, 2014, BLACK, DODGE, DART

1. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.
2. The written notice shall contain the following information:

- a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
3. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
 4. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
 5. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
 6. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
 7. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

DEVELOPMENT

Department: Development
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Resolution Approving or Denying Zoning Commission Case ZA2023--12, Zoning Text Amendment to the Colerain Township Zoning Resolution to Prohibit Recreational Marijuana

Recommend ADOPTION of the Resolution.

Rationale:

The Colerain Township Zoning Resolution currently prohibits Medical Marijuana in all Business Zoning Districts. This Zoning Text Amendment will prohibit the issuance of Zoning Certificates for any use(s) related to the cultivation, processing, or retail sales of Recreational Marijuana in all business, office, and industrial zones. Additionally, marijuana is currently listed as a Schedule 1 drug under federal law and passage of this Resolution aligns the Colerain Township Zoning Resolution with federal law.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in a regular session at 6:00 p.m., on the 24th day of October, 2023, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Cathy Ulrich, Dan Unger, Matt Wahlert

Mr./Ms. _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____-23

**APPROVAL OF CASE NO. ZA2023-12, ZONING RESOLUTION TEXT AMENDMENT
TO ARTICLE 8 AND ARTICLE 16: PROHIBIT RECREATIONAL MARIJUANA**

WHEREAS, on July 18, 2023, the Colerain Township Staff requested the Colerain Township Zoning Commission initiate a text amendment pursuant to R.C. §519.12;(A);(1) to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution; and,

WHEREAS, the Colerain Township Zoning Commission conducted a public hearing on the proposed text amendment on September 19, 2023, and after staff presentation, public comments, exhibits, and other materials were submitted, voted 5-0 to recommend denial of the text amendment, included below as Exhibit “A”; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on October 24, 2023, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ___-___ to approve the text amendment to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio approves the Zoning Resolution Text Amendment to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution for the reason that the Amendment would be in the best interest of the Township and the health, safety, morals and welfare of the public; and,
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administrator; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____,

ADOPTED this 24th day of October, 2023.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matt Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott Sollmann (0081467)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 24th day of October, 2023.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

Proposed Text Amendments to Colerain Township Zoning Resolution

Colerain Township Trustees request to amend the Colerain Township Zoning Resolution text to better address the following Definition and Uses:

Article(s) to be amended:

1. Definition: “Recreational Marijuana” definition shall be added to **“§16.2 Definitions”** as ***“Recreational Marijuana shall mean any use(s) related to the cultivation, processing, or retail sales of marijuana, and any business, building, structure, vehicle, trailer, or land used for the cultivation, processing, or retail sales of recreational marijuana as defined within R.C. §3719, specifically but not limited to, R.C. §3719.01;(M).”***
2. Use: Amend Table 8-1 in **“§8.2 Permitted Uses”** to clarify that the growing, sale, and distribution of “Recreational Marijuana,” as defined in R.C. §3719.01, is prohibited in all business, office, and industrial zones.

Use		Zoning District			Additional Regulations	
(“P”, “P*”, “C”)	B-1	B-2	B-3	O-1	I-1	See §16.2 Definitions
<u>Recreational Marijuana</u>						

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in a regular session at 6:00 p.m., on the 24th day of October, 2023, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Cathy Ulrich, Dan Unger, Matt Wahlert

Mr./Ms. _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____-23

DENIAL OF CASE NO. ZA2023-12, ZONING RESOLUTION TEXT AMENDMENT TO ARTICLE 8 AND ARTICLE 16: PROHIBIT RECREATIONAL MARIJUANA

WHEREAS, on July 18, 2023, the Colerain Township Staff requested the Colerain Township Zoning Commission initiate a text amendment pursuant to R.C. §519.12;(A);(1) to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution; and,

WHEREAS, the Colerain Township Zoning Commission conducted a public hearing on the proposed text amendment on September 19, 2023, and after staff presentation, public comments, exhibits, and other materials were submitted, voted 5-0 to recommend denial of the text amendment, included below as Exhibit “A”; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on October 24, 2023, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ___ - ___ to deny the text amendment to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the Zoning Resolution Text Amendment to *Article 8: Business Zoning Districts* and *Article 16: Rules of Construction and Definitions* of the Colerain Township Zoning Resolution for the reason that the Amendment would not be in the best interest of the Township and the health, safety, morals and welfare of the public; and,
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Colerain Township Zoning Administrator; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____,

ADOPTED this 24th day of October, 2023.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matt Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott Sollmann (0081467)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 24th day of October, 2023.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

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Article(s) to be amended:

1. Definition: “Recreational Marijuana” definition shall be added to **“§16.2 Definitions”** as ***“Recreational Marijuana shall mean any use(s) related to the cultivation, processing, or retail sales of marijuana, and any business, building, structure, vehicle, trailer, or land used for the cultivation, processing, or retail sales of recreational marijuana as defined within R.C. §3719, specifically but not limited to, R.C. §3719.01;(M).”***
2. Use: Amend Table 8-1 in **“§8.2 Permitted Uses”** to clarify that the growing, sale, and distribution of “Recreational Marijuana,” as defined in R.C. §3719.01, is prohibited in all business, office, and industrial zones.

Use		Zoning District			Additional Regulations	
(“P”, “P*”, “C”)	B-1	B-2	B-3	O-1	I-1	See §16.2 Definitions
<u>Recreational Marijuana</u>						

CONSENT ITEMS

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Continue to Provide High Quality Safety Services

Contract - Fraternal Order of Police - Extension Agreement -EXP043024
Recommend approval of all consent items.

Rationale:
Due to scheduling conflicts, the Township and FOP were delayed in starting negotiations for the existing FOP contracts for Police Officers and Sergeants that is set to expire on December 31, 2023. This agreement is a precaution to extend the agreement through April 30, 2024 if the parties are not able to come to terms before year end.

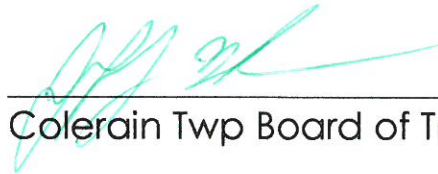
EXTENSION AGREEMENT

The parties hereby agree to extend the date for the fact-finding hearing to April 30, 2024. The parties waive the provisions of 4117.14(G)(11) in regard to all matters of compensation or with cost implications which may be awarded by a conciliator in accordance with Chapter 4117 O.R.C. and agree that the conciliator may award wage increases or other matters with cost implications to be retroactive to January 1, 2024.

APPROVED BY:



Rob Merkle
General Counsel
F.O.P., Ohio Labor Council, Inc.



Colerain Twp Board of Trustees

CONSENT ITEMS

Department: Administration
Department Director: Jeff McElravy, Assistant Administrator

Strategic Plan Goal: Strategic Goal #3: Manage the Township's Finances Responsibly While Improving Financial Policies and Processes

Engagement Letter- Plattenburg & Associates- 2023 Financial Statement Preparation - \$7,000

Recommend approval of all consent items.

Rationale:

This letter would engage Plattenburg to assist the Township with the preparation of its financial statements for 2023. The preparation of the statements requires the review and synthesis of the raw information generated from the Township's accounting software to comply with state law, guidance offered by the Auditor of State, and the Governmental Accounting Standards Board. The scope of work also allows for Plattenburg to assist with responses to questions raised as part of the 2023 audit. This contract is set at an amount not to exceed \$7,000.

October 20, 2023

Colerain Township
4200 Springdale Road
Colerain Township, OH 45251

This letter will confirm the understanding of our engagement to render accounting services to the Colerain Township, (the "Township") for the year ended December 31, 2023. The nature and extent of our respective responsibilities are understood as follows:

1. Plattensburg, CPAs, will assist the Township with preparation of regulatory basis financial statements. Such preparation procedures might include:
 - a. Procedures related to the assembling and organizing of information provided by the Township to develop the journal entries and subsidiary records needed to prepare the regulatory basis financial statements,
 - b. Procedures related to footnote disclosures,
 - c. Development or correction of revenue and/or expenditures coding,
 - d. Detailed documentation to support above items,
 - e. Such other procedures as deemed necessary by the Township and/or Auditor of State.
2. It shall be the responsibility of the Township to:
 - a. Direct the engagement and approve engagement results since such results will be solely the responsibility and representation of the Township,
 - b. Provide the information/documentation required to complete the preparation procedures,
 - c. Provide detail accounting records according to the timetable of Plattensburg, CPAs, and
 - d. Provide assistance with the requested procedures as needed.
3. The fee for this service will not exceed:
 - a. \$6,000 for December 31, 2023*
 - a. Up to an additional \$1,000 fee can be used for providing responses to questions from the Auditor of State during the audit period

*-this amount includes the fee for filing via the Hinkle Report Filing System required by the Auditor of State.
4. Progress billings will be made monthly and will be payable upon presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If additional time is necessary, we will discuss it with you and arrive at a new fee estimate to cover the additional costs.
5. Additional extended procedures outside the normal scope of this engagement that you may request, if any, will be performed as a separate engagement and covered by a separate agreement. Such work would include, but is not limited to, implementation of new accounting pronouncements, input and submission procedures related to the Auditor of State's **Hinkle Report Filing System** and any work related to assistance with accounting details, including fixed assets.

Please indicate your agreement with the arrangements discussed herein by signing and returning this letter. A file copy is enclosed for your convenience.

Sincerely,

Plattenburg & Associates, Inc.

Plattenburg & Associates, Inc.
Certified Public Accountants

Signature

Printed Name

Title

Date