

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*March 21, 2024*

*R. Dee Stone, Trustee Chair*  
*Lexi Lausten, Trustee Vice Chair*  
*Joshua S. Gerth, Trustee*  
*Brian M. Johnson, Fiscal Officer*

**Mrs. Stone** called the meeting to order and welcomed attendees including: Fiscal Officer Brian Johnson, Township Administrator Vicky Earhart, Assistant Township Administrator for Operations Steve Sievers, Assistant Township Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Public Works Director Eric Luginbuhl, Law Director Margaret Comey, Anderson Township Fire & Rescue Chief Richard Martin, Sheriff's Department Lt. Dave Downing, Fiscal Office Clerk Katie Arnold, Director of Finance Tammy Disque. Trustee Josh Gerth was absent.

**MOTION TO RETIRE TO EXECUTIVE SESSION – 5:00 PM**

**Executive Session:** Mrs. Stone moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes as permitted by Ohio Revised Code Section 121.22(G)(2), and to confer with the Law Director concerning disputes that are the subject of pending or imminent court action as permitted by Ohio Revised Code Section 121.22(G)(3). Mrs. Lausten seconded the motion.

**Mr. Johnson** called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.

**MOTION TO RETURN TO OPEN SESSION – 5:30 PM**

**Mrs. Stone** moved to return from Executive Session. Mrs. Lausten seconded the motion.

**Mr. Johnson** called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.

**PLEDGE OF ALLEGIANCE**

**MOTION TO ADOPT AGENDA**

**Mrs. Stone** moved to adopt the agenda as presented. Mrs. Lausten seconded the motion.

**Mr. Johnson** called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.

**PRESENTATIONS AND RECOGNITIONS**

Oath of Office for Fiscal Officer Brian Johnson

**Mrs. Stone** administered the oath of office for Fiscal Officer Brian Johnson.

### Tree Committee Presentation

John Halpin and Tim Kloppenborg updated the board on efforts and accomplishments during the past year, including: the fall tree planting program, the addition of 10 Greenspace acres from Lynn Woodward, awards received, and tree award winners. Additionally, they reviewed plans for 2024 that included Arbor Day, articles for Anderson Insights, and letters to tree recipients about tree care and pruning.

**Mrs. Lausten** thanked the presenters for all their work throughout the year.

**Mrs. Stone** stated their thoughts and prayers were with Hamilton County Auditor, Bridget Kelly, who resigned her position for health reasons.

### **PUBLIC FORUM**

Approximately 70 members of the public attended the meeting and roughly 30 spoke during the public forum regarding their surprise and disappointment of Coney Island's closing, the Cincinnati Symphony Orchestra's (CSO) purchase of the land, and the CSO's new, planned music venue development. Attendees spoke about the potential impact from Sunlight Pool's closing and Coney Island's historical significance. Additionally, some voiced concerns about a new music venue, including traffic, noise, and increased costs to the township.

The public forum was closed at 7 PM.

### **TRUSTEE COMMENTS**

**Mrs. Earhart** introduced herself and stated anyone who was not heard could come to the next meeting on April 11, 2024, at 3 PM. Additionally, she stated the township found out about Coney Island's closing and sale merely minutes prior to the public announcement. She discussed the financial impact on the township. She then discussed what powers townships have and do not have regarding land use.

**Mrs. Lausten** thanked Mrs. Earhart for the clarification and stated the board members were impacted as well. She understood the frustration, anger, mistrust and thanked everyone for coming to share. She stated the township wanted to be partners concerning what happens to the property and mitigating citizens' concerns.

**Mrs. Stone** stated the township cannot buy something that is not for sale. It is not for the township to determine if the area needs another entertainment venue. She also reiterated Anderson Township receives no revenue from Riverbend. She stated they will work with the CSO and the City of Cincinnati to mitigate the new music venue's impact. Mrs. Stone also announced an event hosted by the mental health collaborative on April 11.

### **FISCAL OFFICER**

#### Financial Reports

**Mr. Johnson** stated he had served as fiscal officer for 6 months and thanked Ken Dietz for his service. He thanked the voters. He also thanked Mr. Dietz, the trustees, and staff for a smooth transition. He discussed the financials as compared to the prior year and the ongoing expenditure process review.

#### Resolution Authorizing Payments

**Mr. Johnson** introduced the below motion and asked for approval.

**Mrs. Lausten** moved to approve the below motion. **Mrs. Stone** seconded the motion.

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

### **RESOLUTION NO. 24 – 0321 – 01**

#### **RESOLUTION AUTHORIZING PAYMENTS**

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (the “Board”) of Anderson Township, Hamilton County, Ohio (the “Township”), as follows:

SECTION 1. This Board hereby authorizes the payment of that certain Purchase Order No. 30787, dated February 21, 2024, of Blanket Vendor in the amount of \$20,000.00, which funds are hereby appropriated for the payment of clothing allowances for firefighters per the Anderson Township Fire & Rescue Collective Bargaining Agreement effective January 1, 2023, to December 31, 2025.

SECTION 2. This Board hereby authorizes the payment of that certain Purchase Order No. 30809, dated February 29, 2024, of Hillside Maintenance Supply in the amount of \$5,000.00, which funds are hereby appropriated for the payment of annual building supplies.

SECTION 3. This Board hereby authorizes the payment of that certain Purchase Order No. 30826, dated March 13, 2024, of Ohio Bureau of Workers Compensation (BWC) in the amount of \$19,215.00, which funds are hereby appropriated for the payment of workers compensation claims.

SECTION 4. This Board hereby authorizes the payment of that certain Purchase Order No. 30772-1, dated March 4, 2024, of Blanket Vendor in the amount of \$10,000.00, which funds are hereby appropriated for the payment of sump pump work.

SECTION 5. This Board hereby authorizes the payment of that certain Purchase Order No. 30815, dated March 6, 2024, of Systems Insight, Inc. in the amount of \$5,954.00, which funds are hereby appropriated for the payment of website miscellaneous and web hosting.

SECTION 6. This Board hereby authorizes the payment of that certain Purchase Order No. 30825, dated March 13, 2024, of Airgas USA, LLC. in the amount of \$13,000.00, which funds are hereby appropriated for the payment of oxygen supplies.

SECTION 7. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

#### Minutes

#### **RESOLUTION NO. 24 – 0321 – 02**

**Mrs. Lausten** moved to approve the minutes from November 16, 2023, December 7, 2023, and January 18, 2024, below motion. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

There was no further discussion.

#### **LAW DIRECTOR**

There was no new business.

#### **FINANCE DEPARTMENT**

##### Memorial Day Contribution to American Legion Post 318

**Ms. Disque** asked the board to approve the below motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

#### **RESOLUTION NO. 24 – 0321 – 03**

**Mrs. Lausten** moved to authorize a Memorial Day Contribution of \$300 to American Legion Anderson Post 318 for the purpose of properly observing Memorial Day with the Township as permitted by Ohio Revised Code Section 307.66. **Mrs. Stone** seconded the motion.

There was no further discussion.

#### **FIRE & RESCUE DEPARTMENT**

##### Smoke Alarm Blitz

**Chief Martin** explained a FEMA grant allowed for the purchase of smoke detectors and department members then arranged to mount smoke detectors in residents' homes. He stated the next blitz would be targeted in the Village of Newtown.

Resolution Approving and Authorizing the Execution of a Clinical Field Preceptorship Agreement with the City of Cincinnati

**Mrs. Lausten** moved to approve the below motion. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

**RESOLUTION NO. 24 – 0321 – 04**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A  
CLINICAL FIELD PRECEPTORSHIP AGREEMENT WITH THE CITY OF  
CINCINNATI**

WHEREAS, pursuant to Section 505.38 of the Ohio Revised Code, a board of township trustees is authorized to provide for the employment of firefighters as it considers best; and

WHEREAS, it is in the public interest to insure a continuing course of competent healthcare professionals in the community; and

WHEREAS, this Board hereby determines that it is in the best interest of the Township to enter into a Clinical Field Preceptorship Agreement with the City of Cincinnati;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. That this Board hereby determines that it is in the best interest of the Township to enter into a Clinical Field Preceptorship Agreement with the City of Cincinnati, in substantially the form attached hereto as Exhibit A and by this reference made a part hereof (the “Agreement”), which Agreement is hereby approved.

SECTION 2. That the Township Administrator is hereby authorized to execute the Agreement in substantially the form attached hereto as Exhibit A, with such revisions thereto as she deems, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Agreement.

SECTION 3. That the preambles hereto are and shall be deemed to be for all purposes integral parts of this resolution.

SECTION 4. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

Resolution Authorizing Sale of Personal Property by Internet Auction

**Mrs. Stone** moved to approve the below motion. **Mrs. Lausten** seconded the motion.

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

**RESOLUTION NO. 24 – 0321 – 05**

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT PURSUANT  
TO SECTION 505.10 OF THE REVISED CODE PROVIDING FOR SALE OF  
PERSONAL PROPERTY VIA INTERNET AUCTION**

WHEREAS, Section 505.10 of the Revised Code (the “Statute”) provides that a board of township trustees may provide for the disposition of certain personal property, including motor vehicles, road machinery, equipment and tools, if the Board finds, by resolution, that the such personal property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, all in accordance with the Statute; and

WHEREAS, the Statute provides that regardless of value, a board of township trustees may sell unneeded, obsolete, or unfit-for-use township personal property by internet auction as provided in paragraph (D) of the Statute; and

WHEREAS, the Township owns several items of property, more fully described on Exhibit A hereto, which by this reference is incorporated herein and made a part hereof (the “Equipment”), that constitutes personal property which this Board deems to be unneeded for Township use; and

WHEREAS, this Board passed Resolution No. 23-0216-07 pertaining to the conduct of internet auctions and authorizing an agreement by and between the Township and LIQUIDITY SERVICES OPERATIONS LLC DBA GOVDEALS, INC., (“GovDeals”) pursuant to which GovDeals agrees to perform certain consulting, provide access to its online surplus property network, maintain information about assets, and provide access to seller asset management on behalf of the Township during calendar years 2023 and 2024 (the “GovDeals Agreement”); and

WHEREAS, the Township Administrator has entered into the GovDeals Agreement as authorized by Resolution No. 23-0216-07; and

WHEREAS, Seller has met the statutory publication requirements with respect to Resolution No. 23-0216-07;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (“Board”) of Anderson Township, Hamilton County, Ohio (“Township”), as follows:

SECTION 1. The Board hereby finds that the Equipment is unneeded for Township use and that it is in the best interest of the Township to dispose of the Equipment pursuant to Section 505.10 (D) of the Revised Code and the GovDeals Agreement by means of internet auction for at least the minimum selling price indicated on Exhibit A (the “Minimum Selling Price”) and otherwise as provided in Resolution No. 23-0216-07. The Equipment when sold shall be picked up by its purchaser or purchasers at the Current Location specified in Exhibit A. Prior to delivery of title to the Equipment to the purchaser or purchasers, the Township shall have received a fully executed Equipment Sale Agreement in substantially the form attached hereto as Exhibit B, which by this reference is incorporated herein. The Township Administrator and the Fiscal Officer are each authorized, singly or together, to execute the necessary documents on behalf of this Board to affect such sale.

SECTION 2. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

#### **PLANNING & ZONING**

There was no new business.

#### **SHERIFF'S OFFICE**

There was no new business.

#### **PUBLIC WORKS DEPARTMENT**

There was no new business.

#### **TOWNSHIP ADMINISTRATOR**

##### Public Hearings for CDBG

**Mr. Seivers** announced public hearings on April 3, 2024, and April 11, 2024, at Anderson Center for public input on submissions for the Community Development Block Grant application.

##### Forest Road Sidewalk Preliminary Engineering

#### **RESOLUTION NO. 24 – 0321 – 06**

**Mrs. Lausten** moved to authorize the Township Administrator to enter into contract with CT Consultants, following review by the Law Director, for preliminary engineering of a new sidewalk along a portion of Forest Road, utilizing 1994 TIF funds in the 2024 budget, in an amount not to exceed \$16,000 including a 10% contingency of \$1,600. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent

There was no further discussion.

Sutton Road Sidewalk Preliminary Engineering

**RESOLUTION NO. 24 – 0321 – 07**

**Mrs. Stone moved to authorize the Township Administrator to enter into contract with TEC Engineering, following review by the Law Director, for preliminary engineering of a new sidewalk along a portion of Sutton Road, utilizing 1994 TIF funds in the 2024 budget, in an amount not to exceed \$14,950 including a 10% contingency of \$1,495. Mrs. Lausten seconded the motion.**

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

There was no further discussion.

Resolution Authorizing Easement Agreement with Coldstream Country Club Granting

**Mrs. Lausten moved to approve the below motion. Mrs. Stone seconded the motion.**

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

**RESOLUTION NO. 24 – 0321 – 08**

**RESOLUTION AUTHORIZING EASEMENT AGREEMENT WITH COLDSTREAM COUNTRY CLUB GRANTING EASEMENTS TO THE TOWNSHIP PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, Coldstream Country Club (“CCC”), as fee owner of certain real property located in the Township, and this Board of Township Trustees desire to enter into that certain Easement Agreement attached hereto as Exhibit A hereto which by this reference is incorporated herein (the “Agreement”), pursuant to which CCC will grant to this Board a permanent easement and a temporary construction easement, each as described in the Agreement, for the establishment, construction, reconstruction, widening, repair, and/or maintenance of a public road;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. This Board hereby determines that it is in the best interest of the Township to enter into the Agreement with CCC, and this Board does hereby approve the form of the Agreement.

SECTION 2. Further, this Board authorizes the Township Administrator to execute and deliver the Agreement on its behalf and on behalf of the Township, with such changes thereto as she may determine, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Agreement.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

Easements to the Township Pursuant to the Authority of Section 505.10 of the Revised Code  
Resolution Authorizing Easement Agreement with Coldstream Estates Development, LLC  
Granting Easements to the Township Pursuant to the Authority of Section 505.10 of the Revised Code

**Mrs. Stone** moved to approve the below motion. **Mrs. Lausten** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

**RESOLUTION NO. 24 – 0321 – 09**

**RESOLUTION AUTHORIZING EASEMENT AGREEMENT WITH COLDSTREAM ESTATES DEVELOPMENT, LLC GRANTING EASEMENTS TO THE TOWNSHIP PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, Coldstream Estates Development, LLC (“Coldstream Estates”), as fee owner of certain real property located in the Township, and this Board of Township Trustees desire to enter into that certain Easement Agreement attached hereto as Exhibit A hereto which by this reference is incorporated herein (the “Agreement”), pursuant to which Coldstream Estates will grant to this Board a permanent easement and a temporary construction easement, each as described in the Agreement, for the establishment, construction, reconstruction, widening, repair, and/or maintenance of a public road and related drainage system;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. This Board hereby determines that it is in the best interest of the Township to enter into the Agreement with Coldstream Estates, and this Board does hereby approve the form of the Agreement.

SECTION 2. Further, this Board authorizes the Township Administrator to execute and deliver the Agreement on its behalf and on behalf of the Township, with such changes thereto as she may determine, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Agreement.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

Resolution Approving and Authorizing a Cross-Access Easement Agreement with Ralph L. Blackwelder Granting Cross-Access Easement to the Township Pursuant to the Authority of Section 505.10 of the Revised Code

Mrs. Lausten moved to approve the below motion. Mrs. Stone seconded the motion.

Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.

**RESOLUTION NO. 24 – 0321 – 10**

**RESOLUTION AUTHORIZING CROSS-ACCESS EASEMENT AGREEMENT WITH  
RALPH L. BLACKWELDER GRANTING CROSS-ACCESS EASEMENT TO THE  
TOWNSHIP PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE  
REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, Ralph L. Blackwelder (“Blackwelder”), sole fee owner of certain real property located in the Township, and this Board of Township Trustees desire to enter into that certain Cross-Access Easement Agreement attached hereto as Exhibit A, which by this reference is incorporated herein (the “Agreement”), pursuant to which Blackwelder will grant to this Board a non-exclusive perpetual easement as described in the Agreement, for purposes of vehicular and pedestrian access, ingress to and egress from Clough Road; ;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. This Board hereby determines that it is in the best interest of the Township to enter into the Agreement with Ralph L. Blackwelder, and this Board does hereby approve the form of the Agreement.

SECTION 2. Further, this Board authorizes the Township Administrator to execute and deliver the Agreement on its behalf and on behalf of the Township, with such changes thereto as she may determine, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Agreement.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

#### Ohio River Way Membership

#### **RESOLUTION NO. 24 – 0321 – 11**

**Mrs. Stone moved to authorize renewal of the township's membership in The Ohio River Way, Inc. for 2024 at the annual rate of \$2,500. Mrs. Lausten seconded the motion.**

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

There was no further discussion.

#### Resolution Approving 2024 Permanent Budget

**Mrs. Lausten moved to approve the below resolution adopting the 2024 Permanent Budget.**

**Mrs. Stone seconded the motion.**

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**

#### **RESOLUTION NO. 24 – 0321 – 12**

#### **RESOLUTION APPROVING 2024 PERMANENT BUDGET**

WHEREAS, the Board of Township Trustees of Anderson Township, adopted Resolution 23-0621-01 establishing the 2024 Tax Budget for the fiscal year commencing January 1, 2024 in accordance with Section 5705.28 of the Ohio Revised Code; and

WHEREAS, the Board adopted Resolution 23-1221-22 establishing Temporary 2024 Appropriations as permitted by Section 5705.38 of the Ohio Revised Code; and

WHEREAS, the Board is required to approve a permanent appropriation budget (“Permanent Budget”) no later than March 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. Upon recommendation of the Township Administrator, this Board hereby adopts the 2024 Permanent Appropriations as presented to this Board.

SECTION 2. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said 2024 Permanent Appropriations to the Hamilton County Budget Commission.

SECTION 3. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted hereby.

There was no further discussion.

Announcement of Board of Trustees Annual Planning Meeting May 2, 2024

**Mrs. Earhart** announced the annual planning meeting would be held May 2<sup>nd</sup> at Highwood Lodge and the public is welcome to attend.

Request Authorization of Hamilton County Storm Water District Level of Service Options and Service Fees for 2025

**RESOLUTION NO. 24 – 0321 – 13**

**Mrs. Lausten** moved that the Township Administrator be and is hereby authorized to execute on behalf of this Board, the Storm Water District Level of Service Options {LOS} and Service Fees for 2025 with the Hamilton County Storm Water District in substantially the form before this Board with such changes thereto as shall not, in her judgment after consultation with the Law Director, be detrimental to the Township, such determination being evidenced by her execution of said agreement. This Board further requests that the Hamilton County Storm Water District use a portion of these fees to investigate methods to minimize the impacts of stormwater quantity. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

There was no further discussion.

Resolution Approving and Adopting the Anderson Township Policy Regarding Animal Entry into Township Buildings

**Mrs. Lausten** moved to approve the below motion. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

**RESOLUTION NO. 24 – 0321 – 14**

**RESOLUTION APPROVING AND ADOPTING THE ANDERSON TOWNSHIP  
POLICY REGARDING ANIMAL ENTRY INTO TOWNSHIP BUILDINGS**

WHEREAS, Anderson Township adheres to and supports the federal Americans with Disabilities Act (28 CFR 35)(the “ADA”); and

WHEREAS, Anderson Township, its Board of Township Trustees and its employees are committed to providing services which protect and enhance the quality of life in our community, promoting the use of public spaces by all persons and supporting accommodation for disabled persons, including disabled persons using service animals, in public spaces under the ADA and Ohio law; and

WHEREAS, this Board has considered the practicality of permitting animal entry into Township buildings; and

WHEREAS, this Board has determined that it is in the best interest of the Township community to provide for access to Township buildings only by service animals under the terms of a stated policy;

NOW THEREFORE BE IT RESOLVED by the Board of Township Trustees ("Board") of Anderson Township ("Township"), Hamilton County, Ohio, as follows:

SECTION 1. This Board hereby approves and adopts the ANDERSON TOWNSHIP POLICY REGARDING ANIMAL ENTRY INTO TOWNSHIP BUILDINGS (the "Policy") as presented to this Board.

SECTION 2. That a copy of this Resolution and the Policy shall be certified by the Fiscal Officer and posted on the Township's website; and that appropriate signage relating to the Policy be posted at entrances to Township buildings.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

#### Resolution for the Control of Dogs in the Township

**Mrs. Stone** moved to approve the below motion. **Mrs. Lausten** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

### **RESOLUTION NO. 24 – 0321 – 15**

#### **RESOLUTION FOR THE CONTROL OF DOGS IN ANDERSON TOWNSHIP**

WHEREAS, this Board, by Resolution No. 91-0625-13 duly passed on June 21, 1991, adopted measures and restrictions with respect to dog ownership, keeping, harboring and restraint of dogs in the Township, pursuant to Section 955.221 of the Ohio Revised Code (the "Statute"); and

WHEREAS, the Statute authorizes a board of township trustees to adopt and enforce resolutions to control dogs within the township that are not otherwise in conflict with any other provision of the Ohio Revised Code; provided, that a county resolution for the control of dogs within the unincorporated territories of a county prevails over resolutions adopted by a board of township trustees;

WHEREAS, resolutions to control dogs include, but are not limited to, resolutions concerned with ownership, keeping or harboring dogs, the restraint of dogs, dogs as a public nuisance, and dogs as a threat to public health, safety, and welfare, except that such resolutions shall not prohibit the use of any dog which is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter, such dogs at all other times and in all other respects shall be subject to this resolution, unless the dog is actually in the field and engaged in hunting or in legitimate training for such purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), as follows:

SECTION 1. Except when a dog is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter, no owner, keeper or harbinger of any dog in the Township shall fail at any time to do either of the following:

(a) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape; or

(b) keep the dog under the reasonable control of some person.

SECTION 2. A dog that without provocation and while off premises of its owner, keeper or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person is a "nuisance dog" within the meaning of Section 955.11 (A)(3)(a); provided that a nuisance dog does not include a police dog being used to assist one or more law enforcement officers in the performance of official duties. "Menacing fashion" means that a dog would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.

SECTION 3. It shall be unlawful for any person to permit a dog, without provocation, to bite or otherwise inflict serious injury to a person or companion animal.

SECTION 4. It shall be unlawful for anyone to keep, harbor or permit to be kept or harbored upon premises owned by such person or upon premises under his/her control within the limits of the Township, any dog which unreasonably causes annoyance, alarm, or noise disturbance to any person by barking, whining, screeching, howling or other like sound which may be heard beyond the boundary of the owner's, keeper's, or harbinger's property under conditions where animal sounds are shown to have occurred either as an episode or continuous noise lasting for a minimum of fifteen (15) minutes, or repeated episodes of intermittent noise lasting for a minimum period of thirty (30) minutes. It shall be an affirmative defense hereunder that the animal was intentionally provoked by a party other than the owner or person in charge of the dog to make such noise.

SECTION 5. On complaint of any person in the Township to the Hamilton County Sheriff's office that a person has failed to control a nuisance dog or has violated SECTION 3 or SECTION 4, above, a Sheriff's officer or animal control officer shall issue a notice of the

complaint to the owner or person in charge or in control of the dog complained of, or to the owner or person in charge of the premises on which the dog is kept or harbored. Any person who fails to abate the dog nuisance after having received such a notice shall be guilty of creating a dog nuisance, which shall be a minor misdemeanor. Each day upon which the dog nuisance occurs or continues shall constitute a separate offense, and the offender shall be subject to the following fines:

(a) For the first offense, a fine of fifty dollars (\$50);

(b) For a second offense occurring within thirty days (30) days of the first offense, a fine of seventy-five dollars (\$75);

(c) For a third offense and every offense thereafter occurring, a fine of one hundred dollars (\$100) for each offense.

SECTION 6. The aforesaid Resolution No. 91-0625-13 shall be repealed as of the effective date of this Resolution.

SECTION 7. The preambles to this Resolution shall be deemed for all purposes to be integral and operative parts hereof.

SECTION 8. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

Resolution Authorizing the Execution of Amendment No. 3 to Anderson Center Rental Agreement Pursuant to Section 505.11 of the Revised Code

**Mrs. Lausten** moved to approve the below motion. **Mrs. Stone** seconded the motion.

**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mrs. Stone**, yes **Mr. Gerth**, absent.

**RESOLUTION NO. 24 – 0321 – 16**

**RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 3 TO  
ANDERSON CENTER RENTAL AGREEMENT PURSUANT TO SECTION 505.11 OF  
THE REVISED CODE**

WHEREAS, certain improved real property located at 7850 Five Mile Road is owned by the Township (the "Property"); and

WHEREAS, Section 505.11 of the Revised Code (the "Statute") authorizes a board of township trustees, when, in its opinion, the township would be benefitted, to lease township real property to any person upon terms agreed upon by the board and lessee; and

WHEREAS, this Board finds it to be in the best interest of the Township to lease, and that the Township would be benefitted by leasing, the Property to Locke Lord, LLP, a Delaware limited liability partnership, (the "Lessee");

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), as follows:

SECTION 1. That this Board hereby determines that it is in the best interest of the Township to lease the Property to the Lessee upon the terms and conditions provided in the Rental Agreement attached hereto as Exhibit A and by this reference made a part hereof (the "Agreement").

SECTION 2. That the Township Administrator is hereby authorized to execute Amendment No. 3 to the Anderson Center Rental Agreement in substantially the form attached hereto as Exhibit A, with such revisions thereto as she deems not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Lease.

SECTION 3. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

Items Arising from Executive Session Discussions

There were none.

**MOTION TO ADJOURN – 8:03 PM**

**Mrs. Stone moved to adjourn the meeting. Mrs. Lausten seconded the motion.**

**Mr. Johnson called the roll: Mrs. Lausten, yes; Mrs. Stone, yes Mr. Gerth, absent.**



R. Dee Stone, Chair

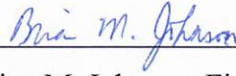


Brian M. Johnson, Fiscal Officer

## CERTIFICATION

The undersigned duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true excerpt from the minutes of a regular meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 16<sup>th</sup> day of May 2024, and that said minutes have been duly entered upon the Journal of said Township.

This day 16<sup>th</sup> day of May 2024.



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Brian M. Johnson, Fiscal Officer