

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 6, 2024

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

**At 2 PM 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 Sgt. Stall, Fiscal Office Clerk Katie Arnold, Director of Finance Tammy Disque.

**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; Mr. Gerth, yes; Mrs. Stone, yes.**

**FISCAL OFFICER**

Minutes

**MOTION NO. 24 – 0606 – 01**

**Mr. Gerth** moved to adopt the minutes from April 11, 2024, as presented. **Mrs. Stone** seconded the motion.

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

Then and Now Payments

**Mr. Gerth** moved to adopt the below resolution. **Mrs. Stone** seconded the motion.

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

**RESOLUTION NO. 24 – 0606 – 02**

**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. 30963, dated May 20, 2024, of Ernst Enterprises, Inc. in the

amount of \$10,000.00, which funds are hereby appropriated for the payment of yearly road materials.

SECTION 2. This Board hereby authorizes the payment of that certain Purchase Order No. 30965, 30966, 30967, 30969, and 30970 all dated May 21, 2024, of ROI Technologies, LLC for various computers and laptops.

SECTION 3. This Board hereby authorizes the payment of that certain Purchase Order No. 30978, dated May 22, 2024, of Blanket in the amount of \$5,000.00, which funds are hereby appropriated for miscellaneous facilities repairs.

SECTION 4. This Board hereby authorizes the payment of that certain Purchase Order No. 30989, dated May 28, 2024, of Blanket in the amount of \$10,000.00, which funds are hereby appropriated for tree removal.

SECTION 5. 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.

#### **TOWNSHIP ADMINISTRATOR**

##### **Hamilton County Auditor Certification of Millage**

**Mrs. Earhart** informed the Board it did not need to act today and that there will be a presentation at the June 20<sup>th</sup> meeting to review the Auditor's certification. **Mrs. Lausten** inquired about the last opportunity for action to decide. **Mrs. Earhart** said July, but earlier is better. **Mrs. Lausten** inquired about a citizen committee and how to staff it. **Mrs. Earhart** reviewed changes that have taken place since the last levy.

##### **VIP Software Proposal**

**Mrs. Earhart** outlined the current accounting software's limitations and the cost to change.

##### **Electricity Aggregation Performance**

**Mrs. Earhart** stated the electric aggregation saved an average of \$290 per person and reviewed additional numbers. **Mrs. Stone** and **Mrs. Lausten** thought the Township needed to post the information for residents.

##### **Resolution Authorizing Grant application to Construct Electric Vehicle Pedestal with Two Charging Ports at up To Four Locations and Committing Local Funds**

**Mr. Seivers** stated the grant-proposed charging stations will be located at the Anderson RecPlex, Bauer Trail, Ohio River Trail, and Five Mile Trail Head. Also, the spots will not be designated as strictly EV; therefore, if there are no other spots available any vehicle can park at the station.

**Mrs. Lausten** moved to adopt the below resolution. **Mrs. Stone** seconded the motion.

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

**RESOLUTION NO. 24 – 0606 – 03**

**AUTHORIZING GRANT APPLICATION TO CONSTRUCT ELECTRIC VEHICLE PEDESTAL WITH TWO CHARGING PORTS AT UP TO FOUR LOCATIONS AND COMMITTING LOCAL MATCHING FUNDS**

WHEREAS, the Board of Township Trustees of Anderson Township (“Township”), Hamilton County, Ohio (“Board”), believes it is important to create planning documents, guiding development decisions and decision-making activities, such as the adopted Anderson Township 2022 Comprehensive Plan (“Plan”); and

WHEREAS, Chapter 2 of the Comprehensive Plan, Mobility, it is noted to monitor future changes in transportation to determine what modifications are needed at Township facilities to meet changing demands (i.e. electric vehicles);

WHEREAS, Chapter 6 of the Comprehensive Plan, Quality of Place, that encourages quality of development, services that are sustainable, and “incentivizing energy efficient improvements through partnering with existing programs”; and

WHEREAS, Chapter 9 of the Comprehensive Plan, Community Assets and Services, Initiative 9.2.1 of the Plan states “Develop infrastructure and programs that reduce the Township’s carbon footprint”; and

WHEREAS, on February 1, 2024, through Resolution 24-0201-04, the Board authorized a grant application to install a Level 2 Electric Vehicle charging station pedestal with two mounted dual port chargers at Anderson Center (7850 Five Mile), and this application was later approved by the OKI Regional Council of Governments, and

WHEREAS, in April 2024, the Ohio-Kentucky-Indiana Regional Council of Government (“OKI”) opened another funding cycle for the Carbon Reduction Program which “is limiting eligibility to projects that support deployment of alternative fuel vehicles. Specifically, this includes acquisition, installation, and maintenance of publicly accessible Electric Vehicle Supply Equipment (EVSE) within the OKI urbanized area (UZA)”, and

WHEREAS, staff has determined that the following sites present feasible opportunities install either one Level 2 Electric Vehicle charging station pedestal, or DCFC (faster) charging station, with two mounted dual port chargers, at the following locations:

- Bauer Preserve (Clough & Nagel)
- Ohio River Trail parking lot (Kellogg Road)
- Anderson RecPlex (Beechmont Avenue)
- Five Mile Trailhead parking lot (Newtown Road), and

WHEREAS, OKI's funding application requires no local funding match from the Township for these stations, although staff is suggesting an allocation of up to \$10,000 for each site, for associated engineering or administrative costs associated with such stations, if the grant is approved.

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

SECTION 1. That the Board hereby authorizes the preparation and submission of a grant application for the Carbon Reduction Program Grant Funds through the Ohio Kentucky Indiana Regional Council of Governments, for one Level 2 or DCFC Electric Vehicle charging station pedestal with two mounted dual port at the aforementioned locations.

SECTION 2. That 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), Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

#### Operations Center

**Mr. Sievers** asked the Board to review the MSA proposal and said to expect a final proposal at the June 20<sup>th</sup> meeting. **Mr. Sievers** updated the Board on the ongoing discussing with Forestville Baptist Church to continue using the church's parking lot for Senior Center overflow parking and senior pickleball at the church. **Mr. Gerth** stated he would like the president's phone number to discuss the issue with him. **Mr. Sievers** stated he would get the number to **Mr. Gerth**. **Mrs. Stone** stated her concern for the current seniors utilizing the Senior Center and the impact losing parking would have on them.

#### Resolution for the Control of Dogs in Anderson Township and Repealing Resolution No. 24-0321-15

**Mrs. Comey** stated that based on discussions with the Sheriff's and Prosecutor's offices regarding enforcing Resolution No. 24-0321-15 the resolution was a misdemeanor and needed updating.

**Mrs. Lausten** moved to adopt the below resolution. **Mrs. Stone** seconded the motion.

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

**RESOLUTION NO. 24 – 0606 – 04**

**RESOLUTION FOR THE CONTROL OF DOGS IN ANDERSON TOWNSHIP AND  
REPEALING RESOLUTION NO 24-0321-15**

WHEREAS, this Board, by Resolution No. 24-0321-15 duly passed on March 21, 2024, 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. Pursuant to Section 955.22(C) of the Ohio Revised Code, 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 harborer'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 dangerous dog or nuisance dog (each as defined in Section 955.11 of the Ohio Revised Code) 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.

SECTION 6. The aforesaid Resolution No. 24-0321-15 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.

Discussion ensued about the Canada geese nuisance around the Township building. **Mrs. Earhart** stated she would return to the Board with viable solutions.

Resolution Authorizing and Directing Township Administrator to provide Notices Regarding Consideration of Resolution Extending the Term of the 1994 TIF

**Mrs. Earhart** stated if the Board passed the below resolution extended the 1994 TIF for another 30 years.

**Mrs. Lausten** moved to adopt the below resolution. **Mr. Gerth** seconded the motion.

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

**RESOLUTION NO. 24 – 0606 – 05**

**RESOLUTION AUTHORIZING AND DIRECTING TOWNSHIP ADMINISTRATOR  
TO PROVIDE NOTICES REGARDING CONSIDERATION OF A RESOLUTION  
EXTENDING THE TERM OF THE 1994 TIF**

WHEREAS, the Board of Township Trustees of Anderson Township (the “Board”), by Resolution No. 94-0628-04 (the “1994 TIF Resolution”), duly passed pursuant to Section 5709.73 et seq. of the Ohio Revised Code (the “TIF Statute”) on June 28, 1994, created the Anderson Township 1994 TIF (the “1994 TIF”) for an initial term of thirty (30) years (the “Initial Term”) commencing on the effective date of the 1994 TIF Resolution;

WHEREAS, pursuant to the 1994 TIF Resolution the Board subsequently entered into a Tax Increment Agreement with the Forest Hills Local School District (“FHLSD”) and with the Cincinnati City School District (“CCSD”), and the Board, through its Township Attorney, provided a proposed Tax Increment Agreement to Great Oaks Joint Vocational School District (aka Great Oaks Institute of Technology and Career Development and now known as Great Oaks Career Campuses) (“Great Oaks”), which latter agreement was not executed and delivered by Great Oaks;

WHEREAS, on December 20, 2001, the Board amended Exhibit A to the 1994 TIF Resolution, as permitted by Section 5709.73(K) of the Ohio Revised Code, to include in the definition of Public Infrastructure Improvements certain additional public infrastructure improvements;

WHEREAS, the Board has amended the 1994 TIF Resolution from time to time to remove certain parcels from the 1994 TIF;

WHEREAS, by Resolution No. 16-0519-05 duly passed pursuant to Section 5709.73(L) of the Ohio Revised Code on May 19, 2016, the Board authorized the amendment of the 1994 TIF Resolution to provide for an extension of the number of years of exemption of improvements to property in the 1994 TIF from taxation for an additional fifteen (15) years (the “Extended Term”) to run consecutively to the Initial Term;

WHEREAS, Section 5709.51(A) of the Ohio Revised Code (the “TIF Amendment Statute”) provides that a board of township trustees may provide in a resolution adopted in accordance with division (B) of Section 5709.73 of the Ohio Revised Code (an “Amending Resolution”) to extend the exemption from taxation of improvements to the parcels designated in the resolution for an additional period of not more than thirty (30) years if conditions stated in said Section 5709.51(A) are met;

WHEREAS, this Board intends to consider an Amending Resolution that would extend the term of the 1994 TIF beyond the current Extended Term thereof;

WHEREAS, service payments made pursuant to Section 5709.74 by the owners of parcels located in the 1994 TIF area in calendar year 2023 exceeded one million five hundred thousand dollars; and

WHEREAS, this Board intends to provide in the proposed Amending Resolution for compensation to the FHLSD, CCDS and Great Oaks with respect to parcels that are located in the 1994 TIF area equal in value to the amount of taxes that would be payable to the school districts if the improvements had not been exempted from taxation for the additional period;

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 the Township Administrator is hereby authorized and directed to provide all notices regarding the proposed Amending Resolution required to be provided under the TIF Statute and the TIF Amending Statute.

SECTION 2. The preambles to this Resolution shall be deemed for all purposes to be integral and operative parts hereof.

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.

#### Review of Anderson Insights

**Mr. Gerth** stated he wanted as many residents as possible reading the article.

**Mrs. Earhart** stated she will add questions to a FAQ list for residents.

#### Adult Use Cannabis Dispensaries Update

**Mrs. Earhart** reviewed the Board action regarding the resolution limiting the number of dispensaries in the Township. There are currently eight bills in the Ohio General Assembly concerning dispensaries. The Ohio Department of Commerce is supposed to approve applications in September.

**Eric Recker** from 2138 Hunters Point Lane explained automatic licenses, potential revenue, and security and safety regulations required by the law.

**Executive Session – Mrs. Stone moved to retire to Executive Session to confer with the Law Director concerning disputes that are the subject of ending 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; Mr. Gerth, yes; Mrs. Stone, yes.**

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

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



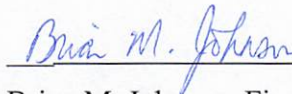
**MOTION TO ADJOURN**

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

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



R. Dee Stone, Chair

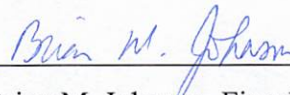


Brian M. Johnson, Fiscal Officer

**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 15<sup>th</sup> day of August 2024, and that said minutes have been duly entered upon the Journal of said Township.

This day 15<sup>th</sup> of August 2024.



Brian M. Johnson, Fiscal Officer