

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
May 18, 2023

The Board of Township Trustees of Anderson Township ("Board") held its regular Monthly Meeting on May 18, 2023, at 5:00 p.m., in the Anderson Center Large Conference Room. Present were the following Board members:

R. Dee Stone
Lexi Lausten
Joshua S. Gerth

Mrs. Stone called the meeting to order and welcomed attendees including: Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Township Administrator for Operations Steve Sievers, Township Facilities Manager Mark Magna, 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.

MOTION TO RETIRE TO EXECUTIVE SESSION

Executive Session: Mrs. Stone moved to retire to Executive Session to consider the appointment, employment, or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1). Mrs. Lausten seconded the motion. Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

MOTION TO RETURN TO OPEN SESSION

Mrs. Stone moved to return from Executive Session. Mr. Gerth seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

PLEDGE OF ALLEGIANCE

MOTION TO ADOPT AGENDA

Mrs. Stone moved to adopt the agenda without modifications. Mrs. Lausten seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

1. PRESENTATIONS AND RECOGNITIONS

a. Coalition to Save Hillcrest Cemetery 2022 and 2023 Volunteer Awards

Awards were presented to Don Bishop, Todd Mayer, Kelly Berg and Carl Roberts for their works both on the grounds and administratively.

b. Oath of Office for New Fire Fighters

Chief Martin introduced recruits and **Mr. Dietz** administered the oath of office.

2. PUBLIC FORUM

Individuals who wish to address the Board should state their name and address for the record, make their points as clearly and concisely as possible, and limit their comments to a maximum of three minutes, which may not be shared with or yielded to others. All comments shall be directed to the Board of Township Trustees. Thank you in advance for your comments.

3. Trustee Comments

a. Memorial Day Remembrance and Bell Ringing Ceremony

Mrs. Stone stated Monday May 29th a ceremony would be held on the South Plaza at noon. Anyone who wanted the name of a loved one read should arrive at 11:45 am. **Mrs. Stone** added the Senior Center had a record number of members. **Mrs. Stone** also noted a new guide of the Ohio Riverway is available.

4. Fiscal Officer

a. Financial Reports

Mr. Dietz stated financials are on target.

b. Appropriation Changes

None

c. Minutes

- i. April 6, 2023
- ii. March 23, 2023
- iii. April 17, 2023
- iv. April 20, 2023

MOTION N O. 23-00518-01

Mrs. Lausten moved to enter the minutes for April 6th **Mrs. Stone** seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

MOTION N O. 23-00518-02

Mr. Gerth moved to enter minutes from March 23rd, April 17th and April 20th **Mrs. Lausten** seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

5. Law Director – Margaret Comey

No new business.

6. Planning & Zoning – Paul Drury

- a. Request to Enter into agreement with Choice One Engineering for Engineering and Design Services for the Wolfangel Road / Clough Pike Sidewalk Project

Mr. Drury stated in 2022 the Board authorized staff to enter into agreements with Choice One Engineering for feasibility design plans regarding two sidewalk projects. One project is located at Wolfangel and Clough Pike and another on Birney Lane. Mr. Drury stated the two motions would allow Choice One to proceed with final engineering and move the projects forward.

MOTION N O. 23-00518-03

Mrs. Lausten moved to authorize the Township Administrator to enter into an agreement with Choice One Engineering to provide engineering and design services for the Wolfangel and Clough Pike sidewalk project for a cost not to exceed \$44,550.00 using TIF funds in the 2023 Anderson Trails budget. **Mr. Gerth** seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

- b. Request to Enter Into Agreement with Choice One Engineering for Engineering and Design Services for the Birney Lane Sidewalk Project

MOTION N O. 23-00518-04

Mrs. Lausten moved to authorize the Township Administrator to enter into an agreement with Choice One Engineering to provide engineering and design services for the Birney

Lane sidewalk project for a cost not to exceed \$33,000.00 using TIF funds in the 2023 Anderson Trails budget. Mr. Gerth seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

- c. Resolution Certifying Written Report of Action of This Board and Unpaid Expenses in Connection Therewith Under Section 505.86 of the Revised Code to Hamilton County Auditor for Collection

Mr. Drury asked the Board to approve payment of expenses related to the removal of two structures as part of a nuisance abatement project.

Mr. Gerth moved to authorize the following resolution. **Mrs. Lausten** seconded.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION NO. 23-0518-05

RESOLUTION CERTIFYING WRITTEN REPORT OF ACTION OF THIS BOARD AND UNPAID EXPENSES IN CONNECTION THEREWITH UNDER SECTION 505.86 OF THE REVISED CODE TO HAMILTON COUNTY AUDITOR FOR COLLECTION

WHEREAS, this Board of Township Trustees (the "Board") has undertaken nuisance proceedings under Section 505.86 of the Revised Code (the "Statute") to secure and remove unsafe structures, has performed work and otherwise complied with the requirements of the Statute, all with respect to the properties identified in Appendix A attached hereto and by this reference incorporated herein (the "Property"), and pursuant to the Resolution Nos. indicated in Appendix A, each duly passed by this Board; and

WHEREAS, all owners of the Property and all holders of liens of record upon the Property were duly served notice and failed to complete, or to enter into an agreement with this Board for the completion of, the necessary abatement, control, or removal, and at the direction of this Board, the Township undertook the performance thereof in accordance with Ohio law; and

WHEREAS, pursuant to the Statute, and particularly Section 505.86(F)(1) thereof, this Board shall make a written report to the County Auditor of Hamilton County, Ohio (the "County

Auditor”), including a proper description of the Property and a statement of all costs and expenses incurred by the Township and permitted under the Statute in abating the nuisance on the respective Property (the “Expenses”);

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

SECTION 1. This Board hereby adopts and certifies Appendix A provided to this Board.

SECTION 2. This Board hereby authorizes and directs the Fiscal Officer of the Township to file Appendix A, together with a certified copy of this Resolution, with the County Auditor. The Township requests that the County Auditor place the Expenses on the tax duplicate immediately for collection as permitted under Section 505.86(F)(1) of the Statute.

SECTION 3. The Expenses shall constitute a lien on the respective Properties and shall be collected as all other taxes, and the method of collection and payment period for the unpaid Expenses shall be one annual payment.

SECTION 4. The Expenses when collected shall be returned to the Township and placed in the Township General Fund.

SECTION 5. If the real estate taxes on the Properties are collected and paid by means of Sheriff’s sale, the liens of the Township shall be paid to the Township by means of that process from the proceeds of sale of the respective Properties.

SECTION 6. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 7. 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.

7. Sheriff's Office – Lt. Dave Downing

No new business.

8. Public Works Department – Eric Luginbuhl

No new business

9. Fire & Rescue Department – Rick Martin

- a. Resolution Authorizing the Purchase of Equipment Pursuant to Section 505.37 of the Ohio Revised Code

Chief Martin asked the Board for approval of the following resolution regarding the purchase of new equipment for the department.

Mrs. Lausten moved to authorize the following resolution. **Mr. Gerth** seconded.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten, yes Mrs. Stone yes.

RESOLUTION NO. 23-0518- 06

**AUTHORIZING THE PURCHASE OF EQUIPMENT PURSUANT TO SECTION 505.37
OF THE OHIO REVISED CODE**

WHEREAS, Section 505.37 of the Ohio Revised Code (“Statute”) provides that a board of township trustees may, with the approval of the specifications, if the township has adopted limited home rule government under Chapter 504 of the Ohio Revised Code, by the township’s law director, purchase, lease or lease with an option to purchase, or otherwise provide any fire apparatus, mechanical resuscitators, other fire equipment, appliances, or materials (among other things) for fire-fighting and fire and rescue purposes that seems advisable to the board; and when the estimated cost thereof exceeds fifty thousand dollars (\$50,000) the contract shall be let by competitive bidding; and

WHEREAS, this Board determines that it is necessary to purchase certain equipment described herein at a cost of less than fifty thousand dollars (\$50,000);

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

Section 1. That this Board hereby determines that it is in the best interest of the Township to acquire by purchase a certain motor vehicle, described as a new Model Year 2023, Ford F350 4x2 chassis cab for use as a maintenance vehicle ("Equipment"), from either Mike Castrucci Ford Sales, Inc., Milford, Ohio or Beechmont Ford, Inc., Cincinnati, Ohio, as may be determined by the Township Administrator depending upon the cost and terms of purchase; provided that the terms of this Resolution are otherwise met. The execution of a purchase agreement in accordance with the terms of this Resolution shall conclusively evidence her determination.

Section 2. That the maximum amount to be paid as the purchase price for the Equipment shall be less than \$50,000.00, for which funds have been previously appropriated by this Board for the purpose and remain otherwise unencumbered.

Section 3. That the Township Administrator is hereby authorized to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the purchase of the aforesaid Equipment in accordance with 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 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.

- b. Resolution Authorizing Sale of Surplus Equipment to the Village of Mariemont, Ohio Pursuant to a Contract Authorized by Section 505.101 of the Revised Code

Chief Martin asked the Board for approval of the following resolution regarding the sale of equipment.

Mr. Gerth moved to authorize the following resolution. **Mrs. Lausten** seconded.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION NO. 23 – 0518-07

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT TO THE
VILLAGE OF MARIEMONT, OHIO, PURSUANT TO A CONTRACT AUTHORIZED
BY SECTION 505.101 OF THE REVISED CODE**

WHEREAS, Section 505.101 of the Revised Code (the "Statute") provides that a board of township trustees may, by resolution, enter into a contract, without advertising or bidding, for the purchase or sale of materials, equipment, or supplies from or to any department, agency, or political subdivision of the State;

WHEREAS, the Equipment described hereinafter is hereby determined to be surplus equipment; and

WHEREAS, the Village of Mariemont, Ohio is a municipal entity within the State of Ohio;

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

SECTION 1. That this Board hereby determines that the Equipment described herein is not needed for public use and hereby expresses its intent to sell the equipment identified on Exhibit A "as is" and valued at \$2,000.00 (the "Equipment"), by sale to the Village of Mariemont, Ohio, a municipal entity within the State of Ohio (the "Purchaser"), upon the terms set forth in the Agreement described herein and pursuant to the Board's authority provided in the Statute.

SECTION 2. That the amount to be paid by the Purchaser as the purchase price for the Equipment shall not be less than \$2,000.00, payable to the Township in immediately available funds on or before the date of delivery of the Equipment to Purchaser.

SECTION 3. That the Township Administrator is hereby authorized to enter into a contract setting forth the terms of sale and substantially in the form attached hereto as Exhibit B and by this reference incorporated herein (the "Agreement"), with such changes thereto as may be deemed by the Township Administrator after consultation with the Law Director not to be financially disadvantageous to the Township, which determination shall be evidenced by her execution of the Agreement.

SECTION 4. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

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) Revised Code Section 121.22, except as otherwise permitted thereby.

EXHIBIT A

EQUIPMENT DESCRIPTION

Item(s)	Quantity	Minimum Price	Current Location
Model: 2009 Ford Expedition VIN: 1FMFU16549LA13929	1	\$2,000.00	7954 Beechmont Ave Anderson Township, OH 45255

EXHIBIT B

SURPLUS EQUIPMENT SALE AGREEMENT

ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, acting by and through its Board of Township Trustees (the "Seller"), and the **VILLAGE OF MARIEMONT, OHIO, 6907 Wooster Pike, Mariemont, Ohio 45227**, a municipal entity within the State of Ohio (the "Purchaser"), for good and valuable mutual consideration the receipt and sufficiently of which are hereby acknowledged, hereby agree as follows:

Recitals

- A. Seller is the owner of that certain Model: 2009 Ford Expedition, VIN 1FMFU16549LA13929, including associated equipment thereon (collectively, the "Equipment").
- B. Purchaser desires to purchase the Equipment and Seller desires to sell the Equipment to Purchaser on the terms and conditions set forth in this Agreement.

Sale of Equipment; No Warranties

Seller represents and agrees to sell the Equipment "as is" to Purchaser upon the terms and conditions set forth herein. Seller gives no warranties, including (without limitation) no warranties of fitness, suitability, or merchantability, with respect to the Equipment. There are no warranties which extend beyond the description of the Equipment on the face hereof.

Purchaser represents that it has examined the Equipment as fully as it desires. Purchaser represents and agrees to purchase the Equipment "as is" upon the terms and conditions set forth herein. By executing this Surplus Equipment Sale Agreement (the "Agreement"), Purchaser expressly acknowledges that (a) Seller gives no warranty of fitness, suitability, or merchantability with respect to the Equipment; and (b) there are no warranties which extend beyond the description of the Equipment on the face hereof.

Purchase Price; Delivery of Equipment

The consideration for the transfer of the Equipment shall be \$2,000.00 (the "Purchase Price"). The Purchase Price shall be paid to Seller as follows: \$2,000.00 in immediately available funds on or before the date of delivery of the Equipment to Purchaser at 7954 Beechmont Avenue, Cincinnati, Ohio 45255.

Upon payment of the Purchase Price, Seller shall deliver the appropriate certificates of title for transfer of title to the Equipment, if any, from Seller to Purchaser; whereupon Purchaser shall process said transfer of title. **Documents of title to the Equipment shall not be delivered to Purchaser unless and until Seller has received a fully executed copy of this Agreement. Delivery of the Equipment shall be made upon Purchaser providing proof of title transfer.**

Entire Agreement

Purchaser and Seller each acknowledge and agree that (i) it has authority to enter into the Agreement; (ii) it has duly authorized this Agreement; and (iii) this Agreement constitutes their entire agreement and that no oral or implied agreement exists. This Agreement shall be binding upon the heirs, successors and assigns of Purchaser and Seller.

Governing Authority

This Agreement is authorized by Section 505.101 of the Revised Code and shall be governed by the laws of the State of Ohio.

6. Effective Date

This Agreement shall be effective as of the date signed by all signatories. Seller and Purchaser acknowledge that time is of the essence.

There was no further discussion.

Chief Martin asked the Board for approval of the following motion regarding soliciting bids for the purchase of new equipment for the department.

MOTION N O. 23-00518-08

Mrs. Lausten moved to authorize the Fire and Rescue Department to solicit bids for the purchase of the self-contained breathing apparatus (SCBA) trans-fill hoses that are compatible with the Fire & Rescue Department's current Mine Safety Appliances (MSA) SCBA units. Mr. Gerth seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

10. Township Administrator – *Vicky Earhart*

a. Bid Acceptance for Kellogg Gateway Project

Mr. Magna presented the bid results for the Kellogg Avenue Landscape Enhancement Project and recommended the Board award the project to Benchmark Land Management, LLC and asked for their approval of the below motion.

MOTION N O. 23-00518-09

Mr. Gerth moved to that this Board hereby accept the Bid of \$3,158,450.00, from Benchmark Land Management, LLC, deemed to be the best and lowest and/ or responsible/responsive bidder for the Kellogg Avenue Landscape Enhancements project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum of appropriation of \$3,474,29.00 from funds currently secured in purchase orders using 1994 TIF funds and funds approved in the 2023 budget; further this Board hereby authorizes and directs the Township Administrator to give timely Notice of Award to the contractor and, after consultation with the Law Director, to enter into contract with Benchmark Land Management, LLC, in accordance with their Bid for the Kellogg Avenue Landscape Enhancement project. Mrs. Lausten Seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

- b. Resolution Authorizing Grant Application for SORTA Transit Infrastructure Funds to Construct Traffic Signal and Modify Five Mile and Towne Center Way Intersection, and Committing Local Matching Funds

Mr. Sievers asked for Board approval to apply for infrastructure grant and committing matching funds.

Mrs. Lausten moved to authorize the following resolution. **Mr. Gerth** seconded.

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

There was no further discussion.

RESOLUTION NO. 23-0518-10

AUTHORIZING GRANT APPLICATION FOR SORTA TRANSIT INFRASTRUCTURE FUNDS TO CONSTRUCT TRAFFIC SIGNAL AND MODIFY FIVE MILE ROAD AND TOWNE CENTER WAY INTERSECTION, AND COMMITTING LOCAL MATCHING FUNDS

WHEREAS, the Board of Township Trustees of Anderson Township ("Board") has repeatedly demonstrated its support for efforts to better manage traffic flow and ensure the safety of all users of roadways; and

WHEREAS, Anderson Township has been recognized as a leader in transportation planning, stemming from improvements to Beechmont Avenue, Five Mile Road, Clough Pike, Salem Road, and Kellogg Road, among other county and state managed roadways in the community; and

WHEREAS, this Board has supported the redevelopment of the Anderson Center Station Park & Ride site, and continued redevelopment of "Downtown Anderson", including the Anderson Towne Center, and has facilitated a myriad of transportation, safety and aesthetic improvements in the Beechmont Avenue and Five Mile Road area; and

WHEREAS, the transportation project for which grant funds are sought seeks to improve safety for those navigating the Five Mile Road and Towne Center Way intersection, including approximately 50 METRO buses each day; and

WHEREAS, in 2022 and 2023, Township Staff worked with the Hamilton County Engineer's Office, who manages Five Mile Road, and TEC Engineering, to complete a traffic analysis ("Analysis") to determine if a traffic signal was warranted at this location; and

WHEREAS, this Analysis determined that such a traffic control device was warranted to improve public safety and reduce vehicle delays; and

WHEREAS, the Township and TEC Engineering have developed additional study, design, and cost estimates for the traffic signal and related modifications;

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

Section 1. That this Board hereby authorizes the preparation and submission of a grant application for Transit Infrastructure Funding through Southwest Ohio Regional Transit Authority ("SORTA"), in an amount not to exceed \$270,000 for construction funding for the project, to include construction of a traffic signal and modification of nearby turning and travel lanes, per the preliminary engineering study, plus costs associated with engineering and environmental activities, and right-of-way acquisition/services, in the event that such grant is received, with matching Anderson Township 1994 TIF funds of up to \$125,000,

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. That it is 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 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 Revised Code, except as otherwise permitted thereby.

c. Request to Set Public Hearing for 2024 Preliminary Tax Budget

Mrs. Earhart asked the Board to authorize the following resolution setting the public hearing for the 2024 preliminary budget.

Mr. Gerth moved to authorize the following resolution. **Mrs. Lausten** seconded.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION NO. 23-0518-11

**SETTING PUBLIC HEARING FOR
2024 PRELIMINARY TAX BUDGET**

WHEREAS, Section 5705.28 of the Ohio Revised Code requires that the taxing authority of each subdivision shall adopt a tax budget for the next succeeding fiscal year on or before the fifteenth day of July; and

WHEREAS, Section 5705.30 of the Ohio Revised Code requires that at least two copies of the budget shall be filed in the office of the fiscal officer for public inspection not less than ten days before its adoption by the taxing authority, and such taxing authority shall hold at least one public hearing thereon, of which public notice shall be given by a least one publication not less than ten days prior to the date of hearing in the official publication of such subdivision, or in a newspaper having general circulation in the subdivision;

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

Section 1. That this Board hereby sets a Public Hearing on the Anderson Township 2024 Preliminary Tax Budget for Wednesday, June 21, 2023, beginning at 5:30 PM at Anderson

Center, 7850 Five Mile Road, Anderson Township, Ohio 45230 and directs the Township Fiscal Officer to provide timely notice to the public as set forth in Section 5705.30 of the Ohio Revised Code.

Section 2. 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) Revised Code Section 121.22, except as otherwise permitted thereby.

d. OKI Intermodal Coordinating Committee FY 2024 Appointments

Mrs. Earhart recommended the Board approve the following motion reappointing Mr. Sievers as the representative for Anderson Township on the OKI Intermodal Coordinating Committee.

MOTION N O. 23-00518-012

Mrs. Lausten moved to appoint Steve Sievers as Anderson Township's representative on the Intermodal Coordinating of the Ohio-Kentucky-Indiana Regional Council of Governments and Chris Cavallaro as alternate for FY 2024, both to be installed by the OKI President. Mr. Gerth seconded.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

- e. Participation in U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) and in the HOME Program Allows Anderson Two

Mrs. Earhart recommended the Board adopt the following resolution allowing the Township participate in the Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) and in the HOME Program.

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

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION N O. 23-0518 – 13

**RESOLUTION ELECTING PARTICIPATION
IN HAMILTON COUNTY URBAN COUNTY PROGRAM**

WHEREAS, the Hamilton County Board of County Commissioners participates in the federal Community Development Block Grant (CDBG) program, Emergency Solutions Grant (ESG) program and the HOME program (collectively, the “urban county program”), and the Hamilton County Planning + Development Department (HCPD) manages grants received pursuant to such programs by Hamilton County thereunder;

WHEREAS, by email transmitted May 3, 2023, HCPD invited Anderson Township to participate in the Hamilton County urban county program for which Hamilton County seeks to re-qualify for fiscal years 2024-2026 and requested a response from Anderson Township by June 5, 2023; and

WHEREAS, HCPD has indicated that participation and qualification are important because federal funds not claimed by Hamilton County will simply be allocated to another region;

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

SECTION 1. That this Board, on behalf of Anderson Township, elects to participate in the Hamilton County urban county program, including CBDG, ESG and HOME programs, for the program fiscal years 2024-2026.

SECTION 2. That the Township Administrator, with the approval of the Township Law Director, is hereby authorized and directed to take all actions necessary to carry out the purposes of this Resolution, including providing and/or executing any and all documents that may be necessary in that regard.

SECTION 3. That certified copies of this Resolution shall be provided by the Township Law Director to HCPD not later than June 5, 2023.

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.

- f. A Resolution Approving the Update of the Solid Waste Management Plan of the Hamilton County Solid Waste Management District

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

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION NO. 23 -0518- 14

**A RESOLUTION APPROVING THE UPDATE OF THE SOLID WASTE
MANAGEMENT PLAN OF THE HAMILTON COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

WHEREAS, pursuant to the provisions of Chapter 3734, Ohio Revised Code (the “Act”), the Hamilton County Solid Waste Policy Committee (the “Policy Committee”) has adopted an update of the Hamilton County Solid Waste Management Plan (the “Plan Update”) for the Hamilton County Solid Waste Management District (the District”); and

WHEREAS, pursuant to the Act, the Board of County Commissioners and the legislative authority of each municipal corporation or township within the District, must approve or disapprove the Plan Update by ordinance or resolution, as appropriate; and

WHEREAS, this Board of Township Trustees of Anderson Township (County of Hamilton), Ohio (the “Board”) has reviewed the Plan Update and has determined that the Plan Update is in the best interests of Anderson Township, County of Hamilton, Ohio (the “Township”);

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

SECTION 1: That this Board hereby determines that the Plan Update is in the best interests of the Township and its residents and businesses and hereby approves the Plan Update.

SECTION 2: That the preambles to this Resolution are and for all purposes shall be construed to be integral and operative parts of this Resolution.

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

SECTION 4: That the Fiscal Officer is hereby directed to promptly deliver, or cause to be delivered, a certified copy of this Resolution to the District.

g. Decisions Arising from Executive Session (if any)

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

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.

RESOLUTION NO. 23 – 0518 –15

**RESOLUTION AND ORDER EMPLOYING ATTORNEY
FOR FISCAL YEAR 2023**

WHEREAS, this Board of Township Trustees (“Board”) is authorized by Section 309.09(B) of the Revised Code to employ an attorney other than the prosecuting attorney for particular matters to represent the Township and its officers in their official capacities and to advise them on legal matters; and

WHEREAS, Section 309.09(B) of the Revised Code provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney's legal services shall be fixed; and

WHEREAS, Thomas B. Allen, Esq. is qualified by experience to be employed, and has been employed previously, by this Board to advise on particular matters for fiscal year 2023 and he has recently moved from the law firm of Frost Brown Todd LLC to the law firm of Roetzel & Andress, LPA;

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. Thomas B. Allen, Esq., of Roetzel & Andress, LPA, is hereby employed as the Township's attorney for fiscal year 2023 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular labor and employment law and related matters. Said attorney's compensation shall be at the rate of \$320 per hour effective this date.

SECTION 2. Said attorney employed hereby shall be reimbursed for out-of-pocket expenses reasonably incurred in connection with the representation and provision of legal services described in this Resolution and Order.

SECTION 3. Said attorney employed hereby may be discharged at any time by majority vote of the Board and may resign his employment upon thirty (30) days' written notice to this Board; in the event of such resignation, the attorney shall make arrangements satisfactory to the Township Administrator for transfer of files related to his work for the Board (at the

expense of the Board) to or at the direction of the Township Administrator and/or to the Township's Law Director, as the Township Administrator shall specify.

SECTION 4. The preambles to this Resolution are and for all purposes shall be construed to be integral and operative parts of this Resolution.

SECTION 5. 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.

MOTION N O. 23-00518-16

Mrs. Lausten moved to authorize the Township Administrator to hire Andy Perry as Event Attendant Lead, effective May 18, 2023, at a starting pay rate of \$18.00/hour and all other benefits normally offered with full-time employment. Mr. Gerth seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.

There was no further discussion.


NEXT REGULAR MONTHLY BOARD MEETING

Wednesday, June 21, 2023, 5:00 P.M. (citizens should call 513.688.8400 to confirm)

MOTION TO ADJOURN

MRS. STONE moved to adjourn the meeting. Mr. Gerth seconded the motion.

Mr. Dietz called the roll: Mr. Gerth yes, Mrs. Lausten yes, Mrs. Stone yes.



R. Dee Stone, Chair



Kenneth G. Dietz, 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 17th day of August 2023, and that said minutes have been duly entered upon the Journal of said Township.

This day 17th of August 2023.


Kenneth G. Dietz, Fiscal Officer