

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

February 20, 2025

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

**Mrs. Lausten** 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, Facilities Manager Mark Magna, 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.

**MOTION TO ADOPT AGENDA**

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

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

**EXECUTIVE SESSION**

**Mrs. Lausten** 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)** 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)**. **Mr. Gerth** seconded the motion.

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

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

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

**APPEAL OF ZONING COMMISSION DECISION**

Appeal of Zoning Commission Decision in Case 1-2016 PUD Major Adjustment, for 4270 Round Bottom Road (Book 500, Page 170, Parcel 36), filed by Daniel P. Utt, Partner with KMK Law, on behalf of BEE Properties Inc, property owner, zoned "ID PUD" Industrial Development Planned Unit Development District

**Mrs. Lausten** stated the Board of Trustees was briefed about this case and understood the outcome of the Zoning Commission's hearing was related to the number of Zoning Commission members in attendance at the original hearing. The Board of Trustees will remand the case back to the Zoning Commission for rehearing with more Commission members in attendance.

**MOTION NO. 25 – 0220 – 01**

**Mrs. Lausten moved to remand Case 1-2016 PUD major adjustment for 4270 Round bottom Road back to the Zoning Commission for consideration. Mr. Gerth seconded the motion.**

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

**PUBLIC FORUM**

No one came forward.

**TRUSTEE COMMENTS**

**Mr. Gerth** commended everyone who worked to get the I-471 bridge reopened so quickly after the sudden closure from a fire.

**Mrs. Lausten** mentioned that the Township is accepting nominations for the annual Tree Awards. She also stated that the Township is accepting applications to serve as an Anderson Township Park Commissioner, which is a three-year term.

**FISCAL OFFICER**

**Financial Reports**

**Mr. Johnson** presented the January financial reports. He stated that the Township had received its first advance from the County Auditor of about \$5.25M. On the expenditure side, he pointed out the Appropriation amounts, which are the temporary appropriations passed in the December meeting.

**Approval of New Fund – Fund 24 – Community Development Block Grant Fund**

**Mr. Johnson** notified the Board of the new Community Development Block Grant fund that needs to be approved and established to report the receipts and expenditures related to that grant and recommended the Board approve the following motion.

**MOTION NO. 25 – 0220 – 02**

**Mr. Gerth moved to approve the Community Development Block Grant Fund. Mrs. Stone seconded the motion.**

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

## Minutes

**Mr. Johnson** presented the following minutes for the Board's approval:

December 5, 2024

January 2, 2025

January 23, 2025

### **MOTION NO. 25 – 0220 – 03**

**Mrs. Stone** moved to approve the minutes of December 5, 2024 , January 2, 2025 and January 23, 2025, as presented by the Fiscal Officer. **Mr. Gerth** seconded the motion.

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

### **MOTION NO. 25 – 0220 – 04**

**Mrs. Stone** moved to approve the minutes of January 15, 2025, as presented by the Fiscal Officer. **Mrs. Lausten** seconded the motion.

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

## **LAW DIRECTOR**

There was no new business.

## **FINANCE DEPARTMENT**

### Announce 2025 Permanent Budget Preparation Underway

**Mrs. Disque** stated the budget was being prepared and asked the Board if they had any questions. They had none.

## **PLANNING & ZONING**

### Resolution Establishing a Comprehensive Public Tree Management Program for Anderson Township (2025 Update)

**Mr. Drury** presented the Comprehensive Public Tree Management Program and the Tree Management Plan, some tree management history, the two programs differences, and recommended the Board adopt the two following resolutions. **Mrs. Stone** asked for clarification on the level of detail such as feet between trees. **Mr. Drury** stated it did provide that detail depending on the tree type and location as well as guidance for tree maintenance.

**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. 25 – 0220 – 05**

**ESTABLISHING A COMPREHENSIVE PUBLIC TREE MANAGEMENT PROGRAM  
FOR ANDERSON TOWNSHIP (2025 UPDATE)**

WHEREAS, this Board of Township Trustees ("Board"), desires to develop a program for the purpose of replacing, maintaining and/or protecting public trees within Anderson Township; and

WHEREAS, the Township, with the aid of urban foresters has conducted and catalogued a survey of street trees to identify their species, size, location and condition in order to begin a systemic program for maintaining and protecting public trees; and

WHEREAS, such trees enhance the quality of life in the Township and help to complement the Township's Greenspace efforts, promote clean air and water, increase property values, reduce erosion or stormwater runoff, provide wildlife habitats, moderate temperature, lessen energy demands, beautify the community and business districts, and preserve the beauty of the public rights-of-way through appropriate landscaping and streetscaping; and

WHEREAS, it is necessary for the beautification and environmental quality of the Township to establish a means of planting, maintaining and preserving trees in the public rights-of-way and on all Township properties;

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

**SECTION 1. DEFINITIONS**

1. "Person" means any person; firm, partnership, association, corporation, company, or organization of any kind.
2. "Street or Highway" means the entire width of every public way, easement of right-of-way when any part thereof is open to the public, as a matter of right, for the purpose of vehicular and pedestrian traffic, and shall include alleys.
3. "Public Places" shall include all other grounds owned by Anderson Township.
4. "Property Line" means the outer edge of a street or highway
5. "Tree lawn" means that part of a street or highway, lying between the boundary of the right-of-way and that portion of the street or highway usually used for vehicular traffic.
6. "Property Owner" means the person owning such property as shown by the County Auditor's Plat of Anderson Township, Hamilton County, Ohio, including the executor, administrator; or beneficiary of the estate of a deceased owner.
7. "Tree" means a tall growing woody plant with one or more perennial main stems or trunk which develops branches from the aerial section of the stem rather than from the base; capable of being pruned to at least six feet of clear branchless trunk below the crown within five years of planting.

8. "Shrub" means a low growing woody plant with one or several perennial main stems producing branches, shoots, or multiple stems from or near the base of the plant and incapable of being pruned to provide at least six feet of clear branchless trunk within five years of planting.
9. "Public Trees" shall include all shade and ornamental trees now or hereafter growing on any public places.
10. "Right-of-Way" means any portion of the public way, street, alley, or sidewalk.
11. "Tree Topping" means the severe cutting back of limbs to stubs of three (3) inches or more in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

## SECTION 2. TOWNSHIP MAY REMOVE

1. The Public Works Director may remove or cause or order to be removed, any trees or part thereof which by reason of its nature is injurious to existing sewers, electric power lines; gas lines, water lines; or other public improvements. Trees, shrubs and other vegetation may be removed to provide for proper sight distance.
2. The Public Works Director shall examine or cause to be examined every tree within the public right of way every 5 years; which the Township owns or retains an easement, and if found dangerous or causing damage or obstruction of sewer, drain, manhole or public utility line; the obstruction may be allowed to be removed.

## SECTION 3. TOWNSHIP RESPONSIBILITY

1. Whenever it is necessary for the Township to remove a tree from Township right-of- way, the Township shall remove such trees including the stump, and offer to replace or re- plant, an equal number of trees in the front yard area outside the right-of-way.
2. No person or property owner shall remove a tree from any Township-owned property or Township right-of-way for any reason without recommendation and approval by the Public Works Director. If approval was not given for the removal, the person may be required to replant or replace an equal number of trees at the landowner's cost or make monetary restitution to be determined by the Township, if replanting is not practical. The tree replacement should equal the total diameter of the removed trees, measured at 54 inches above ground level, using approximately two-inch caliper to three inch diameter trees. For example, if a 10 inch diameter tree is removed, 5 trees of 2 inch would need to be planted or a lesser number of replacement trees if approved by the Public Works Director. The Public Works Director will recommend either the replacement, replanting or restitution of trees. Failure to plant replacements shall result in replacement by the Township and the actual cost to the Township shall be billed to the property owner which shall be repaid to the Township within 45 days or assessed to the property owner's

property taxes.

#### SECTION 4. TREES PERMITTED ON PUBLIC PROPERTY

1. The Public Works Director shall approve all tree species, their size and location, planted on public property or in the public right-of-way prior to planting.
2. Whenever any tree or shrub shall be planted or set out in conflict with the provisions of this Resolution, the Public Works Director may cause removal of the same without obligating the Township to replace the illegally planted tree(s).

#### SECTION 5. ABUSE OR MUTILATION OF PUBLIC TREES

1. Unless specifically recommended by the Public Works Director and with approval by the Public Works Director, no person shall intentionally damage, cut, carve, top, transplant, or remove any tree; attach any rope, wire, nails, advertising posters, squirrel/ bird feeder, or other contrivance to any tree or shrub; allow any gaseous, liquid, or solid substance to come in contact with them; set fire or permit fire to burn when the fire or heat thereof shall injure any portion of any tree or shrub.
2. No person shall excavate any ditches, tunnels, trenches, or alley or drive within a radius of ten feet or five times the diameter of the tree measured at 54 inches above ground level, whichever number is greater must be used, from any public tree or shrub without obtaining approval from the Public Works Director.
3. In the event of damage caused by a motorized vehicle, Anderson Township shall determine the value of the tree(s) involved based upon the Council of Tree and Landscape Appraisers, Guide For Plant Appraisal and seek restitution from the responsible party or his or her insurer for the value of the tree.

#### SECTION 6 PLACING MATERIALS ON PUBLIC PROPERTY

No person shall deposit, place, store, or maintain upon any public place of the Township, any stone, brick, sand, concrete, or other materials which may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein, except by approval of the Public Works Director.

#### SECTION 7 PLANTING AND MAINTENANCE OF TREE LAWNIS

No person shall plant, prune, brace, cable, spray, or otherwise perform work on a tree in a tree lawn or other public place without first obtaining the prior consent of the Public Works Director. The person obtaining consent shall abide by the standards as set forth in this Resolution.

#### SECTION 8 TREES IN NEW DEVELOPMENTS

The Township Tree Committee shall endorse the tree plan for any newly developed Township tree lawns with approval by the Public Works Director required.

## SECTION 9 TREE SPACING

The spacing of public trees will be in accordance with the three (3) species size classes and no trees may be planted closer together than the following:

Small Trees	twenty (20) feet
Medium Trees	thirty (30) feet
Large Trees	forty (40) feet

except in special plantings designed or recommended and approved by the Public Works Director.

## SECTION 10 DISTANCE FROM CURB AND SIDEWALK

The distance public trees may be planted from curbs or curblines and sidewalks will be in accordance with the following:

Small trees:	1.5 feet (minimum of a 3.0-foot-wide tree lawn)
Medium trees:	2.5 feet (minimum of a 5.0-foot-wide tree lawn)
Large trees:	3.5 feet (minimum of a 7.0-foot-wide tree lawn)

except in special plantings designed or recommended by the Tree Committee and approval by the Public Works Director.

## SECTION 11 DISTANCE FROM THE STREET CORNERS AND FIRE HYDRANTS

No public tree shall be planted closer than thirty-five (35) feet from any street corner, measured from the point nearest the intersecting curbs or curb lines. No public tree shall be planted closer than ten (10) feet to any hydrant.

## SECTION 12 UTILITIES

No public trees other than those species referred to as Small Trees may be planted under or within twenty five (25) lateral feet of any overhead utility wire.

## SECTION 13 ADOPTION OF RULES

The Public Works Director or Township Administrator, with the approval of Township Trustees, may adopt rules consistent with this Resolution, which shall provide detailed guidelines for the administration of this Resolution.

## SECTION 14 PENALTY

Any person violating or failing to comply with any provision of this Resolution shall be subject to any required restitution for damages incurred by the Township or any special assessments levied as provided for herein.

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

There was no further discussion.

Resolution Adopting the Tree Management Plan

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

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

**RESOLUTION NO. 25 – 0220 – 06**

**ADOPTING THE TREE MANAGEMENT PLAN**

WHEREAS, this Board of Township Trustees (“Board”), adopted a Tree Maintenance Program Resolution in 2009 that developed a program for the purpose of replacing, maintaining and/or protecting public trees within Anderson Township; and

WHEREAS, the Township, with the aid of urban foresters conducted and catalogued a survey of street trees to identify their species, size, location and condition in order to begin a systemic program for maintaining and protecting public trees; and

WHEREAS, such trees enhance the quality of life in the Township and help to complement the Township's Greenspace efforts, promote clean air and water, increase property values, reduce erosion or stormwater runoff, provide wildlife habitats, moderate temperature, lessen energy demands, beautify the community and business districts, and preserve the beauty of the public rights-of-way through appropriate landscaping and streetscaping; and

WHEREAS, it is necessary for the beautification and environmental quality of the Township to establish a means of planting, maintaining and preserving trees in the public rights-of-way and on all Township properties;

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

SECTION 1. That this Board hereby accepts the recommendations of the Tree Committee and Township staff, and adopts the Plan, which is hereby incorporated in Exhibit A and made part of this Resolution.

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

There was no further discussion.



**Resolution Providing for the Removal of Junk Motor Vehicles from Real Property Located at 8688 Glenrose Lane in Anderson Township, Ohio, Pursuant to Sections 505.871 and 505.173 of the Ohio Revised Code**

**Mr. Drury** presented the two following nuisance resolutions to remove junk vehicles from two neighboring properties and the recurring complaints with these two properties.

**Mrs. Stone** 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. 25 – 0220 – 07**

**RESOLUTION PROVIDING FOR THE REMOVAL OF JUNK MOTOR VEHICLE FROM REAL PROPERTY LOCATED AT 8688 GLENROSE LANE IN ANDERSON TOWNSHIP, OHIO, PURSUANT TO SECTIONS 505.871 AND 505.173 OF THE OHIO REVISED CODE.**

WHEREAS, Section 505.871 of the Ohio Revised Code (the “Statute”) provides that a board of township trustees may provide, by resolution, for the removal of any vehicle in the unincorporated territory of the township that the board determines is a junk motor vehicle, as defined in Section 505.173 of the Ohio Revised Code (the “Junk Vehicle Storage Statute”), not sooner than fourteen days after the board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land; and

WHEREAS, the Junk Vehicle Storage Statute defines “junk motor vehicle” as “a motor vehicle that meets all of the following criteria: (1) Three model years or older; (2) apparently inoperable; and (3) extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission;” and

WHEREAS, the Junk Vehicle Storage Statute provides that in addition to other remedies provided by law, the board of township trustees may institute an action for injunction, mandamus, or abatement, or any other appropriate action or proceedings to prohibit the storage of junk motor vehicles in violation of that statute; and

WHEREAS, the motor vehicle described on Exhibit A hereto (the “Junk Vehicle”), which by this reference is incorporated herein, located at 8688 Glenrose Lane in the Township (the “Property”) is deemed to be a junk motor vehicle within the meaning of the Junk Vehicle Storage Statute; and

WHEREAS, the owner of record of the Property is Louise K. Wilson (the “Property Owner”); and

WHEREAS, the last known mailing address of the Property Owner is Forest Hills Care Center, 8700 Moran Road, Cincinnati, OH 45244;

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

SECTION 1. This Board determines that the Junk Vehicle located on private property at 8688 Glenrose Lane in the Township constitutes a Junk Motor Vehicle within the meaning of the Junk Vehicle Storage Statute.

SECTION 2. This Board declares that if the Property Owner fails to remove the Junk Vehicle from the Property within 14 days after service of the Legal Notice attached hereto as Exhibit A, which by this reference is incorporated herein, then the Township Administrator and the Director of Planning and Zoning for the Township shall provide for the removal of the Junk Vehicle and any costs the Board incurs in removing or causing the removal of the Junk Vehicle may be entered upon the tax duplicate and shall become a lien upon the land from the date of entry.

SECTION 3. The Director of Planning and Zoning, on behalf of this Board, shall give notice by certified mail, return receipt requested to the holders of legal or equitable liens of record upon the Property and to the Property Owner, of the Board's intention to provide for removal of the Junk Vehicle through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator. If a Legal Notice sent by certified mail is refused or unclaimed, or if the Property Owner's address is unknown and cannot reasonably be obtained by the exercise of reasonable diligence, the Fiscal Officer, on behalf of this Board, shall cause the Legal Notice to be published once in a newspaper of general circulation in the Township before removal of the Junk Vehicle, and, if the land contains any structures, the Board shall cause the Legal Notice to be posted on the principal structure on the land and to be photographed and time-stamped.

SECTION 4. Notice sent by certified mail shall be deemed served for purposes of the Statute on the date it was received as indicated by the date on a signed return receipt. Notice given by publication shall be deemed served for purposes of the Statute on the date of newspaper publication.

SECTION 5. All costs incurred in removing or causing the removal of the Junk Vehicle, when approved by this Board, shall be paid from the Township's general fund from moneys not otherwise appropriated, except that if costs exceed five hundred dollars, the Board may borrow moneys to pay the costs in whole or in part. This Board may utilize any lawful means to collect costs incurred in removing or causing the removal of the Junk Vehicle, including any fees or interest paid to borrow moneys under the Statute. This Board may utilize all lawful means to collect the costs incurred in removing or causing the removal of the Junk Vehicle pursuant to the Statute. This Board directs the Fiscal Officer to certify such costs and a description of the Property to the Hamilton County Auditor, who shall place said costs on the tax duplicate. The costs will be a lien upon said land from and after the date of entry. Said costs shall then be returned to the Township and placed in the Township's General Fund.

SECTION 6. Upon removal of any junk motor vehicle, including the Junk Vehicle, pursuant to the Statute, this Board is authorized by paragraph (F) of the Statute to cause the Junk Vehicle to be disposed of in accordance with the terms thereof. This Board directs the Township Administrator upon removal of the Junk Vehicle, to so dispose of the Junk Vehicle.

SECTION 7. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 8. 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 Revised Code, except as otherwise permitted thereby.

There was no further discussion.

Resolution Providing for the Removal of Junk Motor Vehicles from Real Property Located at 8694 Glenrose Lane in Anderson Township, Ohio, Pursuant to Sections 505.871 and 505.173 of the Ohio Revised Code

**Mrs. Stone** 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. 25 – 0220 – 08**

**RESOLUTION PROVIDING FOR THE REMOVAL OF JUNK MOTOR VEHICLES FROM REAL PROPERTY LOCATED AT 8694 GLENROSE LANE IN ANDERSON TOWNSHIP, OHIO, PURSUANT TO SECTIONS 505.871 AND 505.173 OF THE OHIO REVISED CODE.**

WHEREAS, Section 505.871 of the Ohio Revised Code (the “Statute”) provides that a board of township trustees may provide, by resolution, for the removal of any vehicle in the unincorporated territory of the township that the board determines is a junk motor vehicle, as defined in Section 505.173 of the Ohio Revised Code (the “Junk Vehicle Storage Statute”), not sooner than fourteen days after the board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land; and

WHEREAS, the Junk Vehicle Storage Statute defines “junk motor vehicle” as “a motor vehicle that meets all of the following criteria: (1) Three model years or older; (2) apparently inoperable; and (3) extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission;” and

WHEREAS, the Junk Vehicle Storage Statute provides that in addition to other remedies provided by law, the board of township trustees may institute an action for injunction, mandamus, or abatement, or any other appropriate action or proceedings to prohibit the storage of junk motor vehicles in violation of that statute; and

WHEREAS, each of the motor vehicles described on Exhibit A hereto (each, a “Junk Vehicle” and collectively, the “Junk Vehicles”), which by this reference is incorporated herein, located at 8694 Glenrose Lane in the Township (the “Property”) is deemed to be a junk motor vehicle within the meaning of the Junk Vehicle Storage Statute; and

WHEREAS, the owner of record of the Property is Louise K. Wilson (the “Property Owner”); and

WHEREAS, the last known mailing address of the Property Owner is Forest Hills Care Center, 8700 Moran Road, Cincinnati, OH 45244;

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

SECTION 1. This Board determines that each Junk Vehicle located on private property at 8694 Glenrose Lane in the Township constitutes a Junk Motor Vehicle within the meaning of the Junk Vehicle Storage Statute.

SECTION 2. This Board declares that if the Property Owner fails to remove the Junk Vehicles from the Property within 14 days after service of the Legal Notice attached hereto as Exhibit A, which by this reference is incorporated herein, then the Township Administrator and the Director of Planning and Zoning for the Township shall provide for the removal of the Junk Vehicles and any costs the Board incurs in removing or causing the removal of the Junk Vehicles may be entered upon the tax duplicate and shall become a lien upon the land from the date of entry.

SECTION 3. The Director of Planning and Zoning, on behalf of this Board, shall give notice by certified mail, return receipt requested to the holders of legal or equitable liens of record upon the Property and to the Property Owner, of the Board's intention to provide for removal of the Junk Vehicles through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator. If a Legal Notice sent by certified mail is refused or unclaimed, or if the Property Owner's address is unknown and cannot reasonably be obtained by the exercise of reasonable diligence, the Fiscal Officer, on behalf of this Board, shall cause the Legal Notice to be published once in a newspaper of general circulation in the Township before removal of the Junk Vehicle, and, if the land contains any structures, the Board shall cause the Legal Notice to be posted on the principal structure on the land and to be photographed and time-stamped.

SECTION 4. Notice sent by certified mail shall be deemed served for purposes of the Statute on the date it was received as indicated by the date on a signed return receipt. Notice given by publication shall be deemed served for purposes of the Statute on the date of newspaper publication.

SECTION 5. All costs incurred in removing or causing the removal of the Junk Vehicles, when approved by this Board, shall be paid from the Township's general fund from moneys not otherwise appropriated, except that if costs exceed five hundred dollars, the Board may borrow moneys to pay the costs in whole or in part. This Board may utilize any lawful means to collect costs incurred in removing or causing the removal of the Junk Vehicles, including any fees or interest paid to borrow moneys under the Statute. This Board may utilize all lawful means to collect the costs incurred in removing or causing the removal of the Junk Vehicles pursuant to the Statute. This Board directs the Fiscal Officer to certify such costs and a description of the Property to the Hamilton County Auditor, who shall place said costs on the tax duplicate. The costs will be a lien upon said land from and after the date of entry. Said costs shall then be returned to the Township and placed in the Township's General Fund.

SECTION 6. Upon removal of any junk motor vehicle, including the Junk Vehicles, pursuant to the Statute, this Board is authorized by paragraph (F) of the Statute to cause the Junk Vehicles to be disposed of in accordance with the terms thereof. This Board directs the Township Administrator upon removal of the Junk Vehicles, to so dispose of the Junk Vehicles.

SECTION 7. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 8. 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 Revised Code, except as otherwise permitted thereby.

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

#### **Resolution Approving and Authorizing the Services of Birkley Consulting for Pre-Employment Testing and Other Services and the Payment of Expenses with Respect Thereto**

**Mr. Martin** presented the following resolution to engage Birkley Consulting for new firefighter psychological evaluations. He stated the department has had a success with them.

**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. 25 – 0220 – 09**

#### **RESOLUTION APPROVING AND AUTHORIZING THE SERVICES OF BIRKLEY CONSULTING FOR PRE-EMPLOYMENT TESTING AND OTHER SERVICES AND THE PAYMENT OF EXPENSES WITH RESPECT THERETO**

WHEREAS, this Board entered into an Agreement for Psychological and Consultation Services with Birkley Consulting, LLC (“Birkley Consulting”), for a term of one year, which agreement has terminated, and this Board desires to enter into an Agreement for Psychological and Consultation Services with Birkley Consulting (“Agreement”) for the provision of pre-employment testing of fire department candidates and other services as described in the Agreement for fiscal year 2025;

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 determines that it necessary and in the best interest of the Township to conduct psychological pre-employment testing of potential fire department recruit candidates by a professional service provider experienced with such testing.

SECTION 2. This Board approves and authorizes the psychological pre-employment testing of potential fire department recruit candidates by Birkley Consulting (“Evaluations”) and the provisions of certain Services, Well Visits, and Training, each as defined in the Agreement presented to this Board, for the maximum sum of \$5000.00 and hereby appropriates said sum for such purpose.

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.

**Request to Apply for the 2025 Ohio EMS Priority One Grant**

**Mr. Martin** presented the following motion to apply for the annual Ohio EMS Priority One Grant to obtain equipment or training. The department typically receives \$2,000 - \$3,000.

**MOTION NO. 25 – 0220 – 10**

**Mrs. Stone** moved to authorize the Anderson Township Fire & Rescue Department's application for the 2025 Ohio EMS Priority One Grant for which the Anderson Township Board of Township Trustees would have no matching funds requirement for the purpose of purchasing EMS equipment or training during the 2025 award period. **Mr. Gerth** seconded the motion.

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

**SHERIFF'S OFFICE**

There was no new business.

**PUBLIC WORKS DEPARTMENT**

**Certification of 2024 Annual Road Mileage**

**Mr. Magna** presented the Annual Road Mileage Certification of 122.052 miles, which is unchanged from the previous year.

**MOTION NO. 25 – 0220 – 11**

**Mr. Gerth** moved to certify the 2024 Annual Road Mileage as submitted by the Ohio Department of Transportation and the Hamilton County Engineers Office and as kept on file in the Township Public Works Department and the Fiscal Office. **Mrs. Stone** seconded the motion.

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

Consideration of Bids for 2025 Street Rehab Project

**Mr. Magna** presented the motion to award the 2025 Street Rehab Project bid to John R Jurgensen Company. Public Works opened bids on February 12, 2025. The published estimate was \$3,050,000.

**MOTION NO. 25 – 0220 – 12**

**Mr. Gerth** moved that this Board hereby accepts the Bid of \$2,134,952.50, from John R. Jurgensen Company, deemed to be the best and lowest and/or responsible/responsive bidder for the 2025 Street Rehab Program project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$2,348,447.75, using 1994 TIF funds in the 2025 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 John R. Jurgensen Company in accordance with their Bid for the 2025 Street Rehab Program project. **Mrs. Stone** seconded the motion.

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

**TOWNSHIP ADMINISTRATOR**

Resolution Authorizing Agreement with Vertical Systems for Station 6 Elevator Maintenance

**Mr. Magna** presented the agreement and the resolution below regarding Vertical Systems for Station 6 elevator maintenance.

**Mrs. Stone** 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. 25 – 0220 – 13**

**APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN  
ELEVATOR EXAMINATION AGREEMENT WITH VERTICAL SYSTEMS  
ELEVATOR CO. RELATED TO THE ELEVATOR UNIT AT THE TOWNSHIP'S  
OPERATIONS CENTER**

WHEREAS, Vertical Systems Elevator Co. ("VSE") provides elevator systems inspection and maintenance services (the "Services") and has been selected by the Township to provide such Services in connection with improvements to the Township's Operations Center; and

WHEREAS, this Board declares that it to be in the best interest of the Township to enter into an agreement with VSE to provide the Services related to Township's Operations Center;

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 enter into an Elevator Examination Agreement substantially in the form attached hereto as Exhibit A and by this reference incorporated herein (the "Agreement"), which is hereby

approved, pursuant to which VSA will provide the Services described therein related to the elevator unit located at the Township's Operations Center.

Section 2. That the Agreement provides for compensation to VSA, 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 and deliver the Agreement in substantially the form attached hereto as Exhibit A with such changes thereto as she shall determine, after consultation with the Law Director, are not disadvantageous to the Township, her execution of the Agreement evidencing such determination.

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.

There was no further discussion.

**Resolution Approving and Authorizing the Execution of an Agreement Relating to Equipment Inspection Services with Summit Fire & Security LLC**

**Mr. Magna** presented the agreement and resolution below regarding Summit Fire & Security LLC for equipment inspection services.

**Mrs. Stone** 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. 25 – 0220 – 14**

**APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF  
INSPECTION AGREEMENT(S) WITH SUMMIT FIRE & SECURITY LLC RELATED  
TO THE INSPECTION OF CERTAIN FIRE SUPPRESSION EQUIPMENT AND  
SYSTEMS LOCATED WITHIN TOWNSHIP FACILITIES**

WHEREAS, Summit Fire & Security LLC, a Delaware limited liability company registered with the Ohio Secretary of State as a foreign limited liability company, ("Summit") provides inspection services related to fire suppression equipment and systems (the "Services") and has been selected by the Township to provide such Services in connection with fire suppression equipment and systems located within Township facilities; and

WHEREAS, this Board declares that it to be in the best interest of the Township to enter into an agreement with Summit to provide the Services;

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 enter into an Inspection Agreement or multiple Inspection Agreements (each dealing



with one specific Township facility) substantially in the form attached hereto as Exhibit A and by this reference incorporated herein (the "Agreement"), which is hereby approved, pursuant to which Summit will provide the Services described therein related to certain fire suppression equipment and systems located within Township facilities.

Section 2. That each Agreement provides for compensation to Summit, 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 and deliver the Agreement(s) in substantially the form attached hereto as Exhibit A with such changes thereto as she shall determine, after consultation with the Law Director, are not disadvantageous to the Township, her execution of the Agreement(s) evidencing such determination.

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.

There was no further discussion.

A Resolution Authorizing the Township Administrator to Designate an Electric Supply Provider to the Township for Township Street Lighting and Non-Street Lighting Accounts and Authorizing the Township Administrator to Enter into an Agreement with the Designated Electric services Supply Provider

Mr. Magna presented the following resolution authorizing the administrator to designate and execute an agreement with an electric supply provider for the Township.

Mrs. Stone 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. 25 – 0220 – 15**

**A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO DESIGNATE AN ELECTRIC SUPPLY PROVIDER TO THE TOWNSHIP FOR TOWNSHIP STREET LIGHTING AND NON-STREET LIGHTING ACCOUNTS AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE DESIGNATED ELECTRIC SERVICES SUPPLY PROVIDER.**

**WHEREAS**, on April 6, 2023, the Township entered into that certain Ohio Electricity Supply Agreement with AEP Energy, Inc., as supplier, for the purchase by the Township and sale and supply by AEP Energy, Inc., of all electricity requirements of Township street lighting (other than Lighting Districts) and non-street lighting accounts for a term commencing with the meter read dates in May 2023 and ending with the meter read dates in May 2025, which agreement will expire May 29, 2025; and

**WHEREAS**, the Township is in the process of soliciting bids from electric supply providers for the provision of electric supply requirements for Township facilities and street lighting; and

**WHEREAS**, upon review of those bids, Township staff will recommend an electric supply provider qualified to provide the electric supply requirements for Township street lighting (other than Lighting Districts) and non-street lighting accounts and providing the best and most responsible bid therefor; and

**WHEREAS**, this Board desires to engage the services of that electric supply provider for the Township street lighting (other than Lighting Districts) and non-street lighting accounts who provides the best and most economic service to the Township and accordingly, due to market conditions, deems it to be necessary to provide the Township Administrator with flexibility in soliciting and designating an electric supply provider for that purpose;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (the "Board") OF ANDERSON TOWNSHIP, HAMILTON COUNTY, STATE OF OHIO (the "Township")**, as follows:

SECTION 1. This Board hereby authorizes the Township Administrator, after review of bids of electric supply providers and consultation with Township staff with respect thereto, to designate the electric supply provider to the Township for the electric supply requirements of Township street lighting (other than Lighting Districts) and non-street lighting accounts in accordance with the following guidance of this Board: that the maximum price per kWh of electric service to be provided to participants in the Electric Aggregation Program shall not exceed \$.070 per kWh, and such service shall be provided pursuant to a written agreement otherwise advantageous to the Township.

SECTION 2. This Board further authorizes the Township Administrator to enter into a written agreement with the designated electric supply provider for the provision of electric supply to Township street lighting (other than Lighting Districts) and non-street lighting accounts in a form which, after consultation with the Law Director, she deems to be advantageous to the Township, her execution of said agreement to be conclusive evidence of such determination.

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

A Resolution Ratifying Action Taken by the Township Administrator in Designating \_\_\_\_\_ as Electric Supply Provider to the township for Township Street Lighting and Non-Street Lighting Accounts and Executing and Delivering an Agreement with the Designated Electric Services Supply Provider

**Mr. Magna** notified the Board that this agenda item is being delayed given that the rate as discussed at the interim meeting was 0.06836, the current rate is 0.0711, and the broker thinks the rate might stabilize. This item will be discussed at the next interim and/or regular meeting.

**Consideration of Bids for Wolfangel Road Sidewalk Project**

**Mr. Magna** notified the Board that Administration opened bids for the Wolfangel Road Sidewalk Project on February 12, 2025. The published estimate was \$505,000 and Administration is recommended the Board accept the Rack & Ballauer Excavating's \$510,742.25 bid.

**MOTION NO. 25 – 0220 – 16**

**Mr. Gerth** moved that this Board hereby accepts the Bid of \$510,742.25, from Rack & Ballauer Excavating Co., Inc., deemed to be the best and lowest and/or responsible/responsive bidder for the Wolfangel Road Sidewalk project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$561,816.48, in Township funds currently secured in purchase orders using 1994 TIF funds and in the 2025 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 Rack & Ballauer Excavating Co., Inc. in accordance with their Bid for the Wolfangel Road Sidewalk project. **Mrs. Stone** seconded the motion.

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

There was no further discussion.

**Senior Center Advisory Committee Appointments**

**Mr. Sievers** presented the following individuals for appointment to the Senior Center Advisory Committee:

Marcia Cole, Chair	Sarah Celenza	Mary Nicholson
David Adams	Helen Hummel	Paul Vest
Julie Bissinger	Abbe Lackmeyer	JoAnne Young
David Borne	Steven Long	George Zabrecky
Sherry Burnside		

**MOTION NO. 25 – 0220 – 17**

**Mr. Gerth** moved to adopt the committee as presented. **Mrs. Stone** seconded the motion.

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

Center for Local Government 2025 Membership

**Ms. Earhart** requested the Board renew the Township's membership in the Center for Local Government.

**MOTION NO. 25 – 0220 – 18**

**Mrs. Stone** moved to authorize renewal of the Township's membership in the Center for Local Government for 2025 at the annual rate of \$3,825.00. **Mr. Gerth** seconded the motion.

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

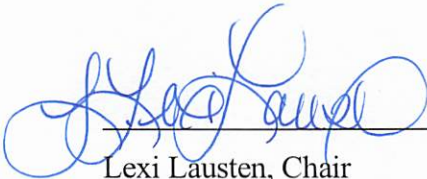
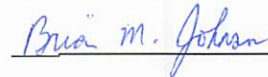
Items Arising from Executive Session Discussions

There were none.

**MOTION TO ADJOURN**

**Mrs. Lausten** moved to adjourn the meeting. **Mr. Gerth** seconded the motion.

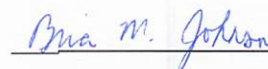
**Mr. Johnson** called the roll: **Mrs. Lausten**, yes; **Mr. Gerth**, yes; **Mrs. Stone**, yes.

  
\_\_\_\_\_  
Lexi Lausten, 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 <sup>May</sup> 2025, and that said minutes have been duly entered upon the Journal of said Township.

This day 15<sup>th</sup> day of, <sup>May</sup> 2025.

  
\_\_\_\_\_  
Brian M. Johnson, Fiscal Officer