

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*September 23, 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, Public Works Director Eric Luginbuhl, Law Director Margaret Comey, Anderson Township Fire & Rescue Chief Richard Martin, Sheriff's Department Sgt. Tom Lange, Fiscal Office Manager Katie Arnold, Director of Finance Tammy Disque.

**Call to order** **Mrs. Lausten** called the meeting to order at 4 P.M **Mr. Gerth** arrived at 4:05 P.M.

**MOTION TO ADOPT AGENDA**

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

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

**Mrs. Lausten** moved to retire to Executive Session 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) and to review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment permitted by Ohio Revised Code Section 121.22(G)(4). **Mrs. Stone** seconded the motion.

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

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

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

**PLEDGE OF ALLEGIANCE**

**Mrs. Lausten** led the pledge of allegiance.

**PUBLIC FORUM**

**Katie Buchmann** of 6966 Five Mile Road commended the trustees, fiscal officer, and staff for the work they do for the township and thanked them.

**Karen Perry** of 1069 Rosetree Lane thanked the trustees for the recent hazardous waste disposal day and thanked the Board for having public comments at the meeting. She stated she does not think the public forum is a place for personal vendettas.

**Jennifer Kappel** of 2227 Clough Ridge Drive stated her concern for children regarding social media and cyberbullying. She questioned why the trustees cannot openly state that a former trustee's social media comments are disgusting and concerning. She wants a leadership change.

**Jeff Conrad** of 2003 Forestcrest Way stated that there is a township study for a sidewalk in front of his house. He does not think it is needed and thinks there are other areas that need it more.

**Jane Perry** of 3151 Willis Ave (Cincinnati) expressed gratitude for the township roads and sidewalks compared to the city. She thanked the trustees and said it is a gift to not worry about safety and public space conditions.

**Barbara York** of 1072 Lanette stated her disagreement with spending \$3.2 million dollars on the Kellogg Gateway and that she disagrees with the Vantage apartments tax abatement. She expressed her desire to see the Board change. She also thinks a fresh start in tone is needed.

**Kevin Mishak** of 8433 Holiday Hills Drive stated he had issues with sidewalks and worked through his issue with Mr. Drury and Mr. Sievers. He stated he appreciates the long-term planning for sidewalks. He stated he is appreciative of all things the trustees have done.

**Rodney Thiemann** of 6091 Crittenden Drive stated he likes the township's responsiveness, and he thinks the current Board is doing a good job.

**Betsy Moore** 725 Cedarcrest Lane stated the Park District celebrated 50 years of operation with Oktoberfest. She thanked Mrs. Stone for her contribution to the levy campaign. She stated parks are for everyone and without regard to partisanship. She promoted Issue 32 and stated yard signs are available in the back of the room.

#### TRUSTEE COMMENTS

**Mr. Gerth** recognized Calvary Alliance Church for their 75<sup>th</sup> Year Anniversary and invited Pastor Barry Baker to speak. Pastor Baker stated a 75<sup>th</sup> Anniversary Celebration will be held at the church the first weekend in October.

**Mrs. Lausten** thanked Pastor Barry Baker.

**Mr. Gerth** stated the improvements made to Kellogg Avenue were planned over a ten-year span and included collaboration with the City of Cincinnati. He noted the TIF dollars needed to be spent in the TIF district area.

**Mrs. Earhart** stated the Kellogg project was publicly bid, the board acted in an open public meeting, and nothing was done behind closed doors. She also reviewed TIFs, their purpose, and the planning process.

**Mr. Gerth** stated OKI brought together leaders in the region for a happy hour on September 11 at TQL stadium. He read his comments from the OKI event. The statements were centered around coming together and unity, people's passion for the communities they served.

**Mrs. Lausten** stated she is aware of misconceptions regarding the Board's support for the

Anderson Park District. She presented the next steps if the November operating levy failed.

**Mrs. Stone** stated the Park District's Oktoberfest event was fun. She also stated the parks issue currently feels very partisan and the notion that the trustees do not like the parks is untrue.

**Mr. Gerth** stated that the Board does not want development on the Beech Acres property.

### Parklands

The resolution below was read in its entirety by Mrs. Lausten

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

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

### RESOLUTION NO. 25 – 0923 – 01

#### **RESOLUTION REGARDING PARKLANDS**

WHEREAS, the Anderson Township Park District ("District"), a separate political subdivision, is seeking voter approval of an operating levy this November, and

WHEREAS, this Board understands that voters are concerned about what would happen to District operations and assets, including park property, should the levy fail, and

WHEREAS, this Board believes that it is likely that the Ohio Auditor of State would be involved in making recommendations if the District does not have sufficient revenue to meet its obligations, and

WHEREAS, we are aware of no applicable statute that would permit the Board of Park Commissioners of the District to cease park district operations and to transfer property to the Township, and

WHEREAS, recognizing the importance of parks within our community, this Board previously conveyed tracts of land to the District, including Kellogg Park and sizable portions of Clear Creek Park and Riverside Park, and

WHEREAS, the Anderson Township Comprehensive Plan lists the Anderson Park District and Great Parks of Hamilton County as Community Assets and encourages continued collaboration between the Township and parks and recreation organizations to promote and enhance the community and regional park systems;

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

**SECTION 1.** This Board hereby recognizes that parks and recreation are key aspects of the overall quality of life in Anderson Township and this Board's preference is that the District's land remain parkland for community use and enjoyment.

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

**SECTION 3.** This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board,

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

#### **FISCAL OFFICER**

**Mr. Johnson** provided an overview of TIF dollars and limitations on how they are spent. He provided an overview of fund accounting, receipts, expenditures, limitations thereon, and oversight. He stated administration did a good job identifying TIF eligible expenditures to preserve the General Fund.

#### Financial Reports

**Mr. Johnson** presented the monthly financials, noting the reports are from the new software system, highlighted the account number changes, and how to read the new reports.

#### Resolution Authorizing Payments

**Mr. Gerth** moved to adopt the resolution below as presented by the Fiscal Officer. **Mrs. Stone** seconded the motion.

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

#### **RESOLUTION NO. 25 – 0923 – 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. 2005-00013, dated September 15, 2025, of Birkley Consulting Company, in the amount of \$3,500.00 and which funds are hereby appropriated for Fire and Rescue Hiring Expenses.

SECTION 2. This Board hereby authorizes the payment of that certain Purchase Order No. 2005-00009, dated September 15, 2025, of Joseph J. Shipley, in the amount of \$3,600.00 and which funds are hereby appropriated for Animal Removal.

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.

Minutes

**MOTION NO. 25 – 0923 – 03**

**Mr. Gerth moved to adopt the minutes of January 16, 2025, and May 15, 2025, as presented by the Fiscal Officer. Mrs. Stone seconded the motion.**

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

**LAW DIRECTOR**

Resolution Accepting and Approving the Annual Information Filing of the Township for Fiscal Year 2024 and Directing Its Filing with the MSRB for Continuing Disclosure Purposes

**Mrs. Stone moved to adopt the resolution below as presented by Mrs. Comey. Mr. Gerth seconded the motion.**

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

**RESOLUTION NO. 25 – 0923 – 04**

**RESOLUTION ACCEPTING AND APPROVING THE ANNUAL INFORMATION  
FILING OF THE TOWNSHIP FOR FISCAL YEAR 2024 AND DIRECTING ITS  
FILING WITH THE MSRB FOR CONTINUING DISCLOSURE PURPOSES**

WHEREAS, the Township entered into a continuing disclosure agreement dated December 31, 2019 (the “2019 CDA”), in connection with the issuance of its General Obligation (Limited Tax) Recreational Facilities Improvement Bonds, Series 2019, dated December 31, 2019; and

WHEREAS, the 2019 CDA requires that the Township file certain annual information and operating data with the Municipal Securities Rulemaking Board (the “MSRB”) through the MSRB’s electronic filing system known as EMMA (“EMMA”) for such period that the Series 2019 Bonds are outstanding;

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 Annual Information Filing for Fiscal Year 2024 (the “Annual Information Filing”), is accepted and approved in substantially the form before this Board with such changes thereto as shall not, in the opinion of the Fiscal Officer and the Township Administrator after consultation with the Law Director, be detrimental to the Township, such determination being evidenced by the filing of the Annual Information Filing on EMMA; and, further, that the Township Administrator is hereby authorized and directed to file, or cause to be filed, the Annual Information Filing with the MSRB by means of the EMMA electronic filing system in a timely manner.

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

There was no further discussion.

#### **FINANCE DEPARTMENT**

There was no new business.

#### **PLANNING & ZONING**

**Mr. Gerth** moved to adopt the resolution below as presented by Mr. Drury. **Mrs. Stone** seconded the motion.

#### Resolution Authorizing the Purchase of Motor Vehicle for Township Purposes

**Mrs. Stone** moved to adopt the below resolution as presented by Mr. Drury. **Mr. Gerth** seconded the motion.

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

#### **RESOLUTION NO. 25 – 0923 – 05**

#### **AUTHORIZING THE PURCHASE OF MOTOR VEHICLE FOR TOWNSHIP PURPOSES**

WHEREAS, Section 505.101 of the Ohio Revised Code provides for the purchase of motor vehicles, materials, equipment or supplies, without advertising or bidding, from any department, agency, or political subdivision of the state; and

WHEREAS, Section 9.17 of the Ohio Revised Code provides the competitive bidding threshold amount of seventy-five thousand dollars (\$75,000) through calendar year 2024 and for each calendar year thereafter, the amount for the previous calendar year increased by three percent as determined and published by the director of commerce; and

WHEREAS, this Board deems it to be advisable to acquire one Model Year 2025 Ford Truck Bronco Sport four-door motor vehicle with four-wheel drive (the “Equipment”) to be utilized as a support vehicle for the Anderson Center staff as recommended by the Township’s Vehicle Committee, at a maximum purchase price not to exceed \$34,000.00 (the “Maximum Purchase Price”), which is less than the competitive bidding threshold amount for calendar year 2025 as determined and published by the Ohio Director of Commerce;

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 the Board hereby determines that it is in the best interest of the Township to acquire the aforesaid Equipment by purchase at no more than the Maximum Purchase Price from Beechmont Ford pursuant to a purchase agreement. The Equipment shall be utilized as a support vehicle for the Anderson Center staff as recommended by the Township's Vehicle Committee.

Section 2. That funds in the amount of the Maximum Purchase Price 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 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.

There was no further discussion.

Motion to Release the Request for Proposals for the 2027 Comprehensive Plan Update Process

**MOTION NO. 25 – 0923 – 006**

**Mrs. Stone moved to authorize the release of a Request for Proposals for the 2027 Comprehensive Plan Update process in order to select a consultant to complete the Plan update, with a budget to not exceed \$ 120,000. Mr. Gerth seconded the motion.**

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

**FIRE & RESCUE DEPARTMENT**

Resolution Authorizing the Sale of Surplus Equipment Pursuant to Section 505.10 of the Revised Code Providing for Sale of Personal Property Via Internet Auction

**Mrs. Stone moved to adopt the below resolution as presented by Chief Martin. Mrs. Lausten seconded the motion.**

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

**RESOLUTION NO. 25 – 0923 – 07**

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

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

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

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

WHEREAS, this Board passed Resolution No. 23-0216-07 pertaining to the conduct of internet auctions and authorizing a Memorandum of Understanding by and between the Township and LIQUIDITY SERVICES OPERATIONS LLC DBA GOVDEALS, INC., ("GovDeals") pursuant to which GovDeals agrees to perform certain consulting, provide access to its online surplus property network, maintain information about assets, and provide access to seller asset management on behalf of the Township for a period of twelve months from its effective date and during subsequent one year automatic renewal terms (the "GovDeals Agreement"); and

WHEREAS, GovDeals operates and maintains the online auction system (the "GovDeals System") and the Township loads information about the asset for sale, maintains information about the asset, and views and runs reports on the GovDeals System; provided, the Township agrees not to utilize other methods of sale of an asset at the same time that the asset is listed on the GovDeals System; and

WHEREAS, the Township Administrator entered into the GovDeals Agreement as authorized by Resolution No. 23-0216-07, with an effective date of June 6, 2023, subject to automatic renewal for one year terms, as provided therein; and

WHEREAS, the Township, as seller, met the statutory publication requirements with respect to Resolution No. 23-0216-07; and

WHEREAS, the GovDeals Agreement automatically renewed for a one year renewal term ending June 5, 2025; and then automatically renewed for an additional one year renewal term commencing June 6, 2025; and

WHEREAS, Notice of Intent to Sell Personal property by Internet Auction (GovDeals) (the "Notice") shall be published on the Township's website and the Township's social media account to give notice of the Township's intention to continue to dispose of certain personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction as provided in Section (D) of the Statute and in accordance with the GovDeals Agreement during the current renewal term thereof, provided that GovDeals shall collect proceeds of sale from the buyer of the personal property and retain a fee of 12.5% of sale proceeds as its administrative fee;

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

SECTION 1. This Board intends to continue to dispose of certain personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction as provided in Section (D) of the Statute and in accordance with the GovDeals Agreement as provided above during the current renewal term thereof from June 6, 2025 to June 5, 2026, and the Township Administrator is authorized to publish the aforesaid Notice on the Township's website and media account, as provided in the Statute..

SECTION 2. This Board hereby finds that the aforesaid Equipment is unneeded for Township use and that it is in the best interest of the Township to dispose of the Equipment pursuant to Section 505.10 (D) of the Revised Code and the GovDeals Agreement by means of internet auction for at least the minimum selling price indicated on Exhibit A (the "Minimum Selling Price") and otherwise as provided herein. The Equipment when sold shall be picked up by its purchaser or purchasers at the Current Location specified in Exhibit A. Prior to delivery of title to the Equipment to the purchaser or purchasers, the Township shall have received a fully executed Equipment Sale Agreement in substantially the form attached hereto as Exhibit B, which by this reference is incorporated herein. The Township Administrator and the Fiscal Officer are each authorized, singly or together, to execute the necessary documents on behalf of this Board to affect such sale.

SECTION 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.

There was no further discussion.

Motion Authorizing the Hiring of Seven Firefighters to Fill Four Existing Vacancies and Three Potential Vacancies to Maintain Staffing of Sixty-Six Firefighters

**MOTION NO. 25 – 0923 – 08**

**Mr. Gerth moved to authorize the hiring of seven (7) firefighters to fill four (4) existing vacancies and three (3) potential vacancies to maintain staffing of sixty-six (66) firefighters. No additional personnel are to be hired without further Board action. Mrs. Stone 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**

There was no new business.

## **TOWNSHIP ADMINISTRATOR**

### **Resolution Authorizing the Purchase of Atlas Heavy Duty Sweeper for Township Purposes**

**Mrs. Stone** moved to adopt the resolution below as presented by Mr. Sievers. **Mr. Gerth** seconded the motion.

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

### **RESOLUTION NO. 25 – 0923 – 09**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF ATLAS HEAVY DUTY SWEEPER FOR TOWNSHIP PURPOSES**

WHEREAS, Section 505.101 of the Ohio Revised Code provides for the purchase of motor vehicles, materials, equipment or supplies, without advertising or bidding, from any department, agency, or political subdivision of the state; and

WHEREAS, Section 9.17 of the Ohio Revised Code provides the competitive bidding threshold amount of seventy-five thousand dollars (\$75,000) through calendar year 2024 and for each calendar year thereafter, the amount for the previous calendar year increased by three percent as determined and published by the director of commerce: and

WHEREAS, this Board deems it to be advisable to acquire one Model Year 2025 Atlas Heavy Duty Sweeper with related equipment and warranty as further described in Quote No. Anderson Township0827atlas provided by MH Equipment, a copy of which is attached hereto and by this reference is incorporated herein, (the “Equipment”) to be utilized in the Anderson Station garage, at a maximum purchase price not to exceed \$55,000.00 (the “Maximum Purchase Price”), which is less than the competitive bidding threshold amount for calendar year 2025 as determined and published by the Ohio Director of Commerce;

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 the Board hereby determines that it is in the best interest of the Township to acquire the aforesaid Equipment by purchase at no more than the Maximum Purchase Price from MH Equipment pursuant to a purchase agreement. The Equipment shall be utilized in the Anderson Station garage.

Section 2. That unencumbered funds in the Towne Center Way Tax Increment Equivalent Fund in the amount of the Maximum Purchase Price are hereby appropriated by this Board for the purpose.

Section 3. That the Township Administrator is hereby authorized to execute the necessary and appropriate purchase agreement 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.

There was no further discussion.

Gungadin Drive Creek Erosion Study

**MOTION NO. 25 – 0923 – 010**

**Mrs. Stone moved to authorize the Township Administrator to enter into contract with Stantec Consulting Services, Inc., following review by the Law Director, for the Gungadin Drive / Creek Erosion Study, utilizing 1994 TIF funds in the 2025 budget, in an amount not to exceed \$24,500.00, including an additional 10% contingency of \$2,450.00 Mr. Gerth seconded the motion.**

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

Resolution Authorizing LPA Federal ODOT Let Project Agreement with Respect to Clough Pike and Newtown Road Improvements

**Mrs. Stone moved to adopt the resolution below as presented by Mr. Sievers. Mr. Gerth seconded the motion.**

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

**RESOLUTION NO. 25 – 0923 – 11**

**RESOLUTION AUTHORIZING LPA FEDERAL ODOT LET PROJECT AGREEMENT WITH RESPECT TO CLOUGH PIKE AND NEWTOWN ROAD IMPROVEMENTS**

WHEREAS, the State of Ohio, Department of Transportation (“ODOT”) and Anderson Township, Hamilton County, Ohio, as the Local Public Agency, acting by and through its Board of Township Trustees (the “LPA”), have determined the need to improve safety by widening Clough Pike to provide eastbound and westbound left turn lanes at the Newtown Road intersection, as well as a new sidewalk on the south side of Clough Pike between Copperleaf Lane and Newtown Road (the “Project”); and

WHEREAS, ODOT and the LPA propose to enter into that certain LPA-Federal-ODOT-Let Project Agreement relating to the Project (the “Agreement”) in substantially the form presented to this Board;

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

SECTION 1. *Consent Statement.* The LPA determines that the Project is in the public interest, and hereby gives its consent to the Ohio Director of Transportation to complete the Project as detailed in the Agreement.

SECTION 2. *Cooperation Statement.* The LPA agrees that it shall cooperate with the Ohio Director of Transportation in undertaking the Project, and shall enter into the Agreement, as well as any other agreements related to and necessary to develop and construct the Project, as follows:

- A. The total cost of the Project ("Construction Cost") is estimated to be \$1,333,723 of which ODOT will provide to the LPA fifty percent (50%) of the eligible costs, up to a maximum of \$449,461 in federal funds administered by ODOT.
- B. The LPA agrees to participate in the cost of the Project at the rate of fifty percent (50%) of the Construction Cost (the non-federal share or LPA's share) and, further, to be responsible for paying one hundred percent (100%) of the costs of Planning, Preliminary Engineering, Environmental Engineering (provided that ODOT shall obtain permits) and Final Engineering with respect to Right-of-Way Phases, as set forth in the ODOT shall provide Final Engineering with respect to utility relocation.
- C. The LPA further agrees to pay one hundred percent (100%) of the cost of those features of the Project requested by the LPA which are determined by ODOT and the Federal Highway Administration to be beyond the scope of the Project.
- D. The LPA further agrees that change orders and extra work contracts required to fulfill the Project construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall provide all other necessary financial resources to fully complete the Project, including all cost overruns and contractor claims in excess of the estimated cost listed in 2A, above.
- E. The LPA further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.
- F. ODOT and LPA agree to the "LPA ODOT Let Project Responsibility Assignments" included in the Agreement.

SECTION 3. *Utilities and Right-of-Way Statement.* The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and federal regulations, all necessary right-of-way required for the Project. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. *Maintenance.* Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and federal laws, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide

sufficient financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 5. *Authority to Sign.*** This Board hereby approves the form of the Agreement substantially in the form presented to this Board and the Township Administrator of the LPA is hereby authorized on behalf of this Board, to (a) execute and deliver the Agreement in substantially the form attached hereto, with such revisions thereto as she deems, after consultation with the Law Director, not to be disadvantageous to the LPA, such determination being conclusively evidenced by her execution of the Agreement, and (b) enter into such additional Project contracts with (i) ODOT pre-qualified consultants for the Preliminary Engineering and Right-of-Way phases of the Project, and (ii) the Ohio Director of Transportation, as are necessary to complete the Project and to carry out the intent of this Resolution, after review thereof by the Law Director.

The Township Administrator is also empowered to assign to ODOT all rights, title and interest of the Board arising from any agreement with said consultants in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omission, and to exercise all other contractual rights and remedies afforded by law or equity, if requested by ODOT.

**SECTION 6. *Certification.*** The Fiscal Officer or his designee shall certify two (2) copies of this Resolution to the Ohio Department of Transportation District 8, 505 S. State Route 741, Lebanon, Ohio 45036, Attention: Ms. Andrea Henderson, Local Public Agency Coordinator.

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

**SECTION 8. *Sunshine Law Finding.*** 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) R.C. §121.22, except as otherwise permitted thereby.

There was no further discussion.

#### Birney Lane Sidewalk

#### **MOTION NO. 25 – 0923 – 12**

**Mrs. Lausten moved to authorize the Township Administrator to enter into contract with Rack & Ballauer Construction, for construction of a new sidewalk and crosswalk on Birney Lane between Hitchingpost Lane and Wetheridge Drive, utilizing 1994 TIF funds in the 2025 budget, in an amount not to exceed \$72,504.60 including a contingency fee of \$2,495.00. Mrs. Stone seconded the motion.**

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

Items Arising From Executive Session Discussion

**RESOULTION NO. 25 – 0923 – 13**

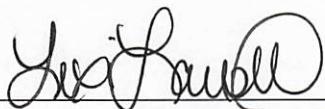
**Mr. Gerth moved to approve a consent decree between Anderson Township and the Anchor Rental Company LLC owned by Doug Evans case number A2302061. Mrs. Lausten seconded.**

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

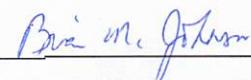
**MOTION TO ADJOURN**

**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

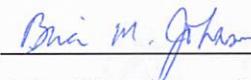


Brian M. Johnson, Fiscal Officer

**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 23<sup>rd</sup> day of September 2025, and that said minutes have been duly entered upon the Journal of said Township.

This 18<sup>th</sup> day of December, 2025.



Brian M. Johnson, Fiscal Officer