

August 15, 2019

The Board of Township Trustees of Anderson Township ("Board") held a Special Meeting on August 15, 2019, at 3:15 p.m., in the Department Head Conference Room at Anderson Center. Present were the following Board members:

- Joshua S. Gerth
- Robin D. Stone
- Andrew S. Pappas

Also present when the meeting was called to order were Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Planning & Zoning Director Paul Drury, Planner I Brad Bowers and Planner I P. J. Ginty.

Mr. Gerth called the meeting to order.

Mr. Gerth moved to adopt the agenda as presented. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Mr. Gerth 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). Mr. Pappas seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Mr. Pappas stepped out of the meeting at 3:50 p.m.

Mrs. Stone moved to return from executive session. Mr. Gerth seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas absent.

Mrs. Stone moved to adjourn the meeting. Mr. Gerth seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas absent.

As there was no further business, the meeting adjourned at 4:00 p.m.

These minutes were approved at the meeting of November 21, 2019.

*Joshua S. Gerth, President*

*Kenneth G. Dietz, Fiscal Officer*

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 15, 2019

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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 15<sup>th</sup> day of August, 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of November, 2019.

  
Kenneth G. Dietz  
Fiscal Officer

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on August 15, 2019, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

- Joshua S. Gerth
- Robin D. Stone
- Andrew S. Pappas

Also present at the start of the meeting were Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, and Assistant Administrator for Operations Steve Sievers.

Mr. Gerth call the meeting to order and moved to retire to Executive Session to consider the appointment, employment, or discipline of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1) and to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2). Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Mr. Gerth moved to return from Executive Session. Mr. Pappas seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes

Mr. Gerth called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manger Debbie Hucker and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.

Mr. Gerth moved to adopt the agenda with modifications. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

**PUBLIC FORUM**

Mr. Gerth invited members of the audience to address the Board. No one came forward.

**FISCAL OFFICER**

Financial Reports – Mr. Dietz announced that the end of July financial reports were available for review.

Minutes –

Resolution 19-0815-01: Mr. Pappas moved to approve the minutes of April 29, 2019 with minor corrections. Mrs. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, abstained; Ms. Stone, yes; Mr. Pappas, yes.

Resolution 19-0815-02: Mr. Pappas moved to approve the minutes of May 2 & 3, 2019; May 16, 2019; May 30, 2019; June 20, 2019; July 11, 2019; and July 18, 2019; with minor corrections. Mrs. Stone seconded the motion.

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

## LAW DIRECTOR

Mrs. Conroy had nothing requiring Board action.

## PLANNING & ZONING

Case 7-2019 PUD Appeal (5531 & 5431 Clough Pike and 2691 & 2675 Elstun Road) -

Resolution 19-0815-03: Mrs. Stone moved to adopt a resolution remanding Case 7-2019 to the Zoning Commission for further review and decision based on the current record, by a full five (5) member contingent to the Commission as follows; Mr. Pappas seconded the motion:

### RESOLUTION NO. 19-0815-03 CASE 7-2019 PUD

5531 & 5431 Clough Pike and 2691 & 2675 Elstun Road  
(Book 500, Pages 440 and 430, Parcels 61, 32, 34 & 28)

Remanding Case 7-2019 to the Zoning Commission for further review and decision based on the current record, by a full five (5) member contingent of the Commission.

WHEREAS, this Board of Township Trustees ("Board"), on August 15, 2019, was presented with an appeal for Case 7-2019 PUD, filed by Daniel McCarthy, representation for Robert Gerwin and Homes by Coach, on behalf of Patricia L Murray TR, Varley LLC and Susan R Beckman TR, property owners, requesting the reconsideration of a Planned Unit Development application for the property located at 5531 & 5431 Clough Pike and 2691 & 2675 Elstun Road (Book 500, Pages 440 and 430, Parcels 61, 32, 34 & 28), containing 32.625 acres to effect, a Planned Unit Development to allow 66 single family lots with 10.849 acres developed, 18.757 acres open space. The proposed PUD subdivision included minimum lot sizes of 5,500 SF, front yard setbacks of 20', side yard setbacks of 5', rear yard setbacks between 20'-35' and minimum lot widths of 50'; and

WHEREAS, after allowing for public testimony and deliberating in public session at its June 24, 2019 meeting, the Anderson Township Zoning Commission was deadlocked two to two, and according to the Zoning Commission by-laws, the failure to get three affirmative votes for

approval, constitutes a denial of the PUD Application; and

WHEREAS, on August 15, 2019, this Board reviewed the request for appeal submitted by representation of the applicant for Case 7-2019 PUD; now, therefore;

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

SECTION 1. The Board hereby remand Case 7-2019 PUD to the Anderson Township Zoning Commission for further review and decision based on the current record in the case, by a full five (5) member contingent of the Zoning Commission because the Zoning Commission decision was not strictly a decision on merits, but a denial based on the application of the Zoning Commission's by-laws.

SECTION 9. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 10. 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

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Certifying Unpaid Expenses Accumulated Under R.C. 505.86 & 505.87 -

Resolution 19-0815-04: Mr. Pappas moved to adopt a resolution certifying written report of action of this Board and unpaid expenses in connection therewith under Section 505.87 of the Revised Code to Hamilton County Auditor for collection as follows; Ms. Stone seconded the motion:

**RESOLUTION N O. 19-0815-04  
RESOLUTION CERTIFYING WRITTEN REPORT OF ACTION OF THIS BOARD  
AND UNPAID EXPENSES IN CONNECTION THEREWITH UNDER SECTION 505.87  
OF THE REVISED CODE TO HAMILTON COUNTY AUDITOR FOR COLLECTION**

WHEREAS, this Board of Township Trustees (the "Board") has undertaken nuisance proceedings under Section 505.87 of the Revised Code (the "Statute") to abate, control or remove vegetation, garbage, refuse or debris, 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 "Properties"), and pursuant to the Resolution Nos. indicated in Appendix A, each duly passed by this Board; and

WHEREAS, all owners of the Properties and all holders of liens of record upon the Properties 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 505.87(F) 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 Properties and a statement of all costs and expenses incurred by the Township and permitted under the Statute in abating the nuisance on the respective Properties (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 505.87(F) 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

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Providing for the Removal of Unsafe Structure on Land Owned by Alysa Buchanan and Located at 1579 Collinsdale Avenue –

Resolution 19-0815-05: Mr. Pappas moved to adopt a resolution providing for the removal of unsafe structure on land owned by Alysa Buchanan and located at 1579 Collinsdale Avenue, Anderson Township, Ohio 45230, pursuant to Section 505.86 of the Revised Code as follows; Ms. Stone seconded the motion:

**RESOLUTION NO. 19-0815-05  
RESOLUTION PROVIDING FOR THE REMOVAL OF UNSAFE STRUCTURE  
ON LAND OWNED BY ALYSA BUCHANAN AND LOCATED AT 1579  
COLLINSDALE AVENUE, ANDERSON TOWNSHIP, OHIO 45230, PURSUANT  
TO SECTION 505.86 OF THE REVISED CODE.**

WHEREAS, Section 505.86 of the Revised Code (the "Statute") provides that a board of township trustees may provide for the removal, repair or secureance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the Hamilton County Planning & Development Department (the "Department") is responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations and the performance of building inspections in Anderson Township; and

WHEREAS, the residential structure (the "Structure") located at 1579 Collinsdale Avenue, Anderson Township, Ohio 45230 (further identified as Hamilton County Auditor's Parcel No. 500-0281-0014-00) (the "Property"), has been deemed to be an "unsafe building" and a "serious hazard" within the meaning of Residential Code of Ohio ("RCO") Section 109.4 by the Department and to be an unsafe structure not approved for occupancy or use in an Official Building Order dated April 3, 2019 (the "County Order"); and

WHEREAS, the owner of record of the Property and Structure is Alysa Buchanan (the "Owner"); and

WHEREAS, the County Order concludes that the Structure shall be repaired or demolished, with approvals required by Ohio Building Code Section 105.1 because the Structure has deteriorated so badly that it is unsafe to occupy; and notifies the Owner that she has a right to appeal the decision within thirty (30) days of the mailing of the notice by filing for a hearing with the Board of Building Appeals at 138 E. Court Street, Cincinnati, Ohio 45202 at which hearing she may be represented by counsel, present arguments or contentions orally or in writing, and

present evidence and examine witnesses appearing for or against her, which right of appeal expired May 20, 2019; and

WHEREAS, the County Order dated February 14, 2019 declaring the need to raze the Structure; and

WHEREAS, the Owner had requested of the Department additional time within which to make repairs and the Department had provided certain extensions, which extensions expired without compliance by the Owner; and

WHEREAS, in a letter to the Anderson Township Trustees dated July 25, 2019, the Department referred the matter to this Board for appropriate action; and

WHEREAS, the last known mailing addresses of the Owner are 1826 Eight Mile Road, Cincinnati, OH 45255, to which address tax bills for the Property are mailed, and 1480 Sugar Creek Blvd, Sugar Land, TX 77478, where the Owner sometimes resides;

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. The Fiscal Officer, 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 Owner (each, a "Party" and collectively, the "Parties"), of the Board's intention to provide for removal of the unsafe Structure 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. The notice shall include notice to the Parties that each Party is entitled to a hearing if the Owner or another Party shall request a hearing, which request shall be made in writing within twenty (20) days of the date of the mailing of the notice. Any such written request shall be made to the Fiscal Officer of the Township. If the address of the Owner is unknown and cannot reasonably be obtained, the Fiscal Officer shall publish the aforesaid notice as provided in Section 505.86(B) of the Revised Code. If a hearing is requested in compliance with the Statute, the Board shall set the date, time and place for the hearing and notify the requesting party in interest by certified mail, return receipt requested; and the hearing shall be held within fifteen days, but not earlier than seven days, after the party in interest has requested a hearing, unless otherwise agreed to by the Board and said party in interest.

SECTION 2. Upon the expiration of thirty (30) days from the date of giving the notice or notices provided for in SECTION 1 hereof, if no hearing is requested, or if a hearing is requested in writing and in a timely manner, then upon the expiration of the hearing process provided for in Section 505.86(C) of the Revised Code, if the Board issues an order directing the removal of the Structure which is not further appealed as provided in the Statute, then unless the Structure has been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform the removal of the Structure or repair of the Structure under Section 505.86(D) of the Revised Code, the Township Administrator shall proceed to provide for the removal of the Structure in accordance with SECTION 1 hereof, and the "total cost" of such removal, as defined in Section 505.86(A) of the



Revised Code, shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Revised Code.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

**SHERIFF'S OFFICE**

Lt. McElroy had nothing requiring Board action.

**PUBLIC WORKS**

Resolution Awarding Contract and Confirming Assessments for Coventry Woods Lighting District - District -

Resolution 19-0815-06: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Coventry Woods Lighting District as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 19-0815-06  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
COVENTRY WOODS LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Coventry Woods Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with the Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$20,764.80 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$18,279.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,485.80 in inflationary cost increases projected over said five-year period, plus \$200.00 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$20,563.88 (which equates to \$148.32 per parcel per year or \$74.16 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.

4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to

place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.

6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Glen Abbey Lighting District –

Resolution 19-0815-07: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Glen Abbey Lighting District as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 19-0815-07  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
GLEN ABBEY LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Glen Abbey Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District

and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$16,563.20 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$14,544.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,818.00 in inflationary cost increases projected over said five-year period, plus \$201.20 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$16,563.20 (which equates to \$103.52 per parcel per year or \$51.76 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.

4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.

6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Hampton Park Lighting District

**Resolution 19-0815-08: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Hampton Park Lighting District as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 19-0815-08  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
HAMPTON PARK LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Hampton Park Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$7,198.20 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.
3. That special assessments for the aforesaid lighting improvements in the amount of \$6,220.80 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$977.40 in inflationary cost increases projected over said five-year period, plus \$199.80 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$232.20 (which equates to \$46.44 per parcel per year or \$23.22 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.
5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.
7. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.
8. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that

resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Harcourt Estates Lighting District

Resolution 19-0815-09: Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Harcourt Estates Lighting District as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-09  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
HARCOURT ESTATES LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Harcourt Estates Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is

hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$1,594,40 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$10,128.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,466.40 in inflationary cost increases projected over said five-year period, plus \$200.40 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$483.10 (which equates to \$96.62 per parcel per year or \$48.31 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.



Resolution Awarding Contract and Confirming Assessments for Huntcrest Woods Lighting District

Resolution 19-0815-10: Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Huntcrest Woods Lighting District as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-10  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
HUNTCREST WOODS LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Huntcrest Woods Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$6,678.11 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the

assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$5,758.20 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$919.91 in inflationary cost increases projected over said five-year period, plus \$200.13 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$6,678.11 (which equates to \$102.74 per parcel per year or \$51.37 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Landings of Anderson Phase II Lighting District -  
Resolution 19-0815-11: Mr. Gerth moved to adopt a resolution awarding contract and confirming assessments for Landings of Anderson II as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-11  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
LANDINGS OF ANDERSON PHASE II LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Landings of Anderson Phase II Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cimergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$13,144.20 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.
3. That special assessments for the aforesaid lighting improvements in the amount of \$1,505.60 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,638.60 in inflationary cost increases projected over said five-year period, plus \$200.40 in average cost per lighting district

renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$13,144.20 (which equates to \$69.18 per parcel per year or \$34.59 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.

4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.

6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Lawyers Pointe Lighting District

Resolution 19-0815-12: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Lawyers Pointe Lighting District as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 19-0815-12  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
LAWYERS POINTE LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Lawyers Pointe Lighting District (the "District"), and has

previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$11,206.41 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$9,783.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,423.41 in inflationary cost increases projected over said five-year period, plus \$200.53 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$11,206.41 (which equates to \$140.08 per parcel per year or \$70.04 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.

4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.

6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Rolling Rock Lighting District -

Resolution 19-0815-13: Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Rolling Rock Lighting District as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-13  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
ROLLING ROCK LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Rolling Rock Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code

in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$8,638.20 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five year.

3. That special assessments for the aforesaid lighting improvements in the amount of \$7,500.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,138.20 in inflationary cost increases projected over said five-year period, plus \$200.70 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$8,638.20 (which equates to \$95.98 per parcel per year or \$47.99 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.

4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the

same times that taxes are paid and collected.

6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Salem Ridge Lighting District -

Resolution 19-0815-14: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Salem Ridge Lighting District as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 19-0815-14  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
SALEM RIDGE LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Salem Ridge Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and



WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$6,598.80 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.
3. That special assessments for the aforesaid lighting improvements in the amount of \$5,688.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$910.80 in inflationary cost increases projected over said five-year period, plus \$199.80 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$6,598.80 (which equates to \$101.52 per parcel per year or \$50.76 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.
7. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Sanctuary of Ivy Hills Phase II Lighting District -

Resolution 19-0815-15: Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Sanctuary of Ivy Hills Phase II as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-15  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
SANCTUARY OF IVY HILLS PHASE II LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Sanctuary of Ivy Hills Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$24,755.50 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.
3. That special assessments for the aforesaid lighting improvements in the amount of \$21,825.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,930.50 in inflationary cost increases projected over said five-year period, plus \$202.37 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$24,755.50 (which equates to \$90.02 per parcel per year or \$45.01 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.
5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.
7. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.
8. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that

resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

~~Resolution Awarding Contract and Confirming Assessments for Turpin Lakes Lighting District -~~

Resolution 19-0815-16: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Turpin Lakes Lighting District as follows; Mr. Pappas seconded the motion:

**RESOLUTION NO. 19-0815-16  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
TURPIN LAKES LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Turpin Lakes Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection

therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$4,118.40 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$3,482.40 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$636.00 in inflationary cost increases projected over said five-year period, plus \$200.70 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$4,118.40 (which equates to \$37.44 per parcel per year or \$18.72 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Awarding Contract and Confirming Assessments for Whisper Ridge Lighting District

Resolution 19-0815-17: Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Whisper Ridge Lighting District as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-17  
AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
WHISPER RIDGE LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

WHEREAS, this Board has previously found that there is a necessity for artificial lighting on streets and public ways in the Whisper Ridge Lighting District (the "District"), and has previously provided for the installation of lights required for properly lighting such streets and public ways, and has previously approved the execution of a contract with Cinergy (now known as Duke Energy) for the purpose of lighting such streets and public ways; and

WHEREAS, this Board has specially assessed the real estate abutting upon and benefiting from said lighting improvement in accordance with Section 515.08 (D) of the Ohio Revised Code in an equal amount against each benefited lot, with the assessment payable in equal semi-annual installments; and

WHEREAS, none of the owners of lots and lands abutting on the streets and public ways of the District has signed a petition for the discontinuance of the artificial lighting in the District and filed such a petition with the Fiscal Officer in accordance with Section 515.081 of the Ohio Revised Code; and

WHEREAS, the estimated cost for continued artificial lighting in the District for a period of five years is less than \$50,000, excluding inflationary cost increase and administrative and legal expense;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, as follows:

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.

2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$10,548.00 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that

the assessments shall be payable in equal semi-annual installments over a period of five years.

3. That special assessments for the aforesaid lighting improvements in the amount of \$9,198.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,350.00 in inflationary cost increases projected over said five-year period, plus \$200.25 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$10,548.00 (which equates to \$175.80 per parcel per year or \$87.90 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith.
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due.

5. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

## FIRE & RESCUE DEPARTMENT

Resolution Approving a Memorandum of Understanding Between the Hamilton County Emergency Management and Homeland Security Agency and Anderson Township for Use of Countywide Mass Notification System –

Resolution 19-0815-18: Mr. Pappas moved to adopt a resolution approving a memorandum of Understanding between the Hamilton County Emergency Management and Homeland Security Agency and Anderson Township for use of Countywide Mass Notification System as follows: Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0815-18  
RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE HAMILTON COUNTY EMERGENCY MANAGEMENT AND HOMELAND  
SECURITY AGENCY AND ANDERSON TOWNSHIP FOR USE OF COUNTYWIDE  
MASS NOTIFICATION SYSTEM**

WHEREAS, this Board of Township Trustees (the "Board") is authorized by Section 505.82 of the Ohio Revised Code and by Sections 5502.21 et seq. (the "Act") to declare the existence of an emergency, and upon such declaration to contract for the immediate acquisition, replacement or repair of equipment needed for mitigating the emergency situation, and to take emergency management actions under the Act; and

WHEREAS, this Board is authorized by Section 5502.271 of the Act to develop an all hazards emergency operations plan (the "Emergency Plan") in accordance with the Act and other provisions of the Ohio Revised Code; and

WHEREAS the Emergency Plan provides for emergency preparedness and civil defense activities and measures, designed or undertaken to minimize the effects upon the civilian population caused or that could be caused by any hazard (including, but not limited to, natural hazards and hazards involving hazardous materials or radiological elements) and that are necessary to address mitigation, emergency preparedness, response and recovery; and

WHEREAS, during emergencies the state powers conferred on political subdivisions, including townships, may be exercised in light of the exigencies of the emergency without regard to or compliance with time-consuming procedures and formalities prescribed by law pertaining thereto; and

WHEREAS, by action previously taken by this Board, an Emergency Plan was approved; and

WHEREAS, the Hamilton County Emergency Management and Homeland Security Agency (the "EMA") proposes to enter into a Memorandum of Understanding with the Township (the "MOU") to establish governance and terms of use for a Countywide Public Mass Notification System (the "Notification System") described in the MOU, the implementation and use of which Notification System is intended to enhance emergency preparedness in the Township;

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



SECTION 1. That this Board hereby determines that it is in the best interest of the Township to approve, and this Board hereby approves, the MOU presented to this Board.

SECTION 2. That the Township Administrator is hereby authorized and directed to execute and deliver the MOU on behalf of this Board, with such changes thereto as shall not be deemed by her, after consultation with the Law Director, to be disadvantageous to the Township, such determination being evidenced by her signing of the Agreement.

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

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

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

### TOWNSHIP ADMINISTRATOR

#### Halloween Trick-or-Treat –

Resolution 19-0815-19: Mrs. Stone moved to set Thursday, October 31, 2019, from 6:00 p.m. to 8:00 p.m. as Halloween Trick-or-Treat in Anderson Township. Mr. Pappas seconded the motion.

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Authorizing the Sale of Surplus Motor Vehicle and Credit of the Selling Price Thereof Against the Lease-Purchase Price of a Honda Minivan to be Used for Township Purposes –

Resolution 19-0815-20: Mr. Pappas moved to adopt a resolution authorizing the sale of surplus motor vehicle and credit of the selling price thereof against the lease-purchase price of a Honda Minivan to be used for Township purposes, pursuant to Section 505.10(A)(3), Section 505.101, and Section 505.267 of the Ohio Revised Code as follows; Mrs. Stone seconded the motion:

### RESOLUTION N.O. 19-0815-20 RESOLUTION AUTHORIZING THE SALE OF SURPLUS MOTOR VEHICLE AND CREDIT OF THE SELLING PRICE THEREOF AGAINST THE LEASE-PURCHASE PRICE OF A HONDA MINIVAN TO BE USED FOR TOWNSHIP PURPOSES,

**PURSUANT TO SECTION 505.10(A)(3), SECTION 505.101, AND SECTION 505.267 OF THE OHIO REVISED CODE**

WHEREAS, Section 505.101 of the Ohio Revised Code (the "Acquisition Statute") provides for the purchase or sale of motor vehicles, materials, equipment or supplies, without advertising or bidding, from or to any department, agency, or political subdivision of the State; and

WHEREAS, Section 505.10 of the Ohio Revised Code (the "Disposition 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 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 Disposition Statute; and

WHEREAS, Section 505.267 of the Ohio Revised Code (the "Lease-Purchase Statute") provides that for any purpose for which a board of township trustees, among others, is authorized to acquire real or personal property, that board may enter into a lease-purchase agreement in accordance with the Lease-Purchase Statute to acquire the property; and

WHEREAS, such a lease-purchase agreement shall provide for a series of terms in which no term extends beyond the end of the fiscal year of the township in which that term commences; provided that in total the terms provided for in the agreement shall be for no more than the useful life of the real or personal property that is the subject of the agreement; and

WHEREAS, the lease-purchase agreement shall provide that, at the end of the final term in the agreement, if all obligations of the township have been satisfied, the title to the leased premises shall vest in the township; provided, that the lease-purchase agreement may require the township to pay an additional lump sum payment as a condition to obtaining that title (the "Acquisition Payment"); and

WHEREAS, division (A)(3) of the Disposition Statute provides that if a board of township trustees finds, by resolution, that the township has motor vehicles, road machinery, equipment or tools that are not needed or are unfit for public use, and the board wishes to sell the motor vehicles, road machinery, equipment or tools to the person or firm from which it proposes to purchase other motor vehicles, road machinery, equipment or tools to that person or firm, and to have the selling price credited to the person or firm against the purchase price of other motor vehicles, road machinery, equipment or tools; and

WHEREAS, the Township owns one Model Year 2009 Ford Escape hybrid motor vehicle with approximately 66,450 miles indicated on its odometer, more fully described on Exhibit A hereto, which by this reference is incorporated herein and made a part hereof (the "2009 Equipment"), which motor vehicle this Board deems to be unneeded for Township use; and

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 sell the 2009 Equipment, which this Board hereby finds is no longer needed for public use, to the Vendor identified below and to have the selling price credited against the purchase price of the 2019 Vehicle identified below, in accordance with the Disposition Statute. The 2009 Equipment shall be sold to the Vendor "as is" and with no warranties.

Section 2. That this Board hereby determines that it is in the best interest of the Township to acquire by lease-purchase a new Model Year 2019 Honda Odyssey LX (the "2019 Vehicle") from Honda East Cincinnati, Cincinnati, OH (the "Vendor"), which 2019 Vehicle is available for purchase from the Vendor, at a maximum purchase price of \$27,882 (based on the data provided in Section 3 hereof), which price is below \$50,000 and does not require public bidding.

Section 3. That the maximum amount to be paid as the lease-purchase price for the 2019 Vehicle is \$10,836, comprised of 36 monthly lease payments of \$301.00 each together with the lump sum Acquisition Payment of \$16,894.00, which funds have been previously appropriated by this Board for the purpose and remain otherwise unencumbered. That the Township shall receive \$3,800.00 from Vendor as trade-in value of the 2009 Equipment, which amount shall be the minimum selling price of the 2009 Equipment. Vendor shall provide a written acknowledgement that the 2009 Equipment is purchased by Vendor "as is" and with no warranties.

Section 4. That the Township Administrator is authorized hereby to execute the necessary and appropriate lease-purchase agreement and/or documentation, after review by the Law Director, to effectuate the lease-purchase of the 2019 Vehicle in accordance with this Resolution, and that the Fiscal Officer is authorized hereby to execute such documents relating to the 2009 Equipment as may be necessary to effectuate the purposes of this Resolution.

Section 5. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

Section 6. 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

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Items Arising from Executive Session Discussion -

Resolution 19-0815-21: Mrs. Stone made a motion to appoint Tom Makris as the 1<sup>st</sup> Alternate to the Anderson Township Board of Zoning Appeals, to expire December 31, 2019. Mr. Pappas seconded the motion.

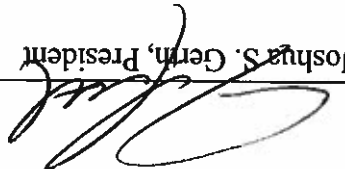
ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 15, 2019

There was no further discussion

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of \_\_\_\_\_ November \_\_\_\_\_, 21, 2019.

  
\_\_\_\_\_  
Joshua S. Gerth, President

  
\_\_\_\_\_  
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 15<sup>th</sup> day of August 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of \_\_\_\_\_ November \_\_\_\_\_, 2019.

  
\_\_\_\_\_  
Kenneth G. Dietz, Fiscal Officer

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on September 5, 2019, at 3:00 p.m., in the Large Conference Room at Anderson Center. Present were the following Board members:

- Joshua S. Gerth
- Robin D. Stone
- Andrew S. Pappas

Mr. Gerth called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Assistant Administrator for Human Resources Suzanne Parker, Fire Chief Rick Martin, Public Works Director Eric Lugimbuhl, Lt. Dan McElroy, Law Director Margaret Comey and Administrative Assistant Molly Mohrfield.

Mr. Gerth moved to adopt the agenda. Mrs. Stone seconded the motion.

There was no further discussion.

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

**TRUSTEES/FISCAL OFFICER**

Liquor License Request for Grammas Pizza Anderson LLC dba Grammas Pizza, 8310 Beechmont Avenue -

**Resolution 19-0905-01: Mr. Pappas moved not to object to a liquor license request for Grammas Pizza Anderson LLC dba Grammas Pizza located at 8310 Beechmont Avenue. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Forest Hills School District Levy - Mrs. Stone requested that the Board publicly support the upcoming 4.7 mill Forest Hills School District (FHSD) operating levy. She pointed out that if this levy did not pass in November the next operating levy would be 7.4 mills which would be difficult to pass, and the failure of the levy could adversely affect property values in the Township. Mrs. Earhart stated that historically the Board did not get involved in any levy as far as supporting or opposing. Mr. Pappas stated that he did not have an issue with individually supporting the levy. He believed a formal action of support as a Board would be a mistake. Mr. Gerth agreed that individually was the best way to support the levy. Mr. Dietz pointed out that over his lifetime he had worked for over 20 school districts and agreed that if a school levy failed property values historically went down. Mr. Gerth believed that if there was any statistical information showing that, it should be front and center on the (FHSD) material. Mrs. Earhart clarified that staff could not get involved with any aspect of the levy as a Township Employee but could participate on their own time, off duty.

Appropriation Changes -

Resolution 19-0905-02: Mr. Pappas moved to approve the appropriation changes within the same fund as detailed by Mr. Dietz and as follows. Ms. Stone seconded the motion.

**Appropriation Changes within Same Fund**

**PLANNING & ZONING**

13,110.05	+\$ 11,000	Tuition
13,110.01	-\$ 11,000	Salaries

There was no further discussion.

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

**DISCUSSION ITEMS**

Entertainment District – Mr. Sievers asked Mr. Gerth for an update on the proposed enhancements to the Kellogg Road interchange/area. Mr. Gerth stated that to date the conversations had been encouraging with the City of Cincinnati. He was attempting to set the next meeting in hopes to move the project forward.

Hotel Study – Mrs. Stone asked what the next steps were. Mr. Sievers replied that the Hotel Study had been sent to two groups that were interested in the Anderson Towne Center site, and one group interested in the Riverfront area. The study had also been distributed to the Economic Development Sub-Committee for review and help in distribution to any interested parties. Those were the initial steps; additional steps would be up to the Board's discretion. Mr. Gerth pointed out that this study goes along with the whole entertainment district idea, but a strategy needed to be formulated as to where a hotel could be developed in the riverfront area. The Township could be proactive and send this report to any developers and specialty hotels. Belterra had not committed to either side of the road or that they would even be willing to develop a hotel by themselves or with someone else. Having the actual site was a key component. Mrs. Stone asked what was Belterra's hesitation. Mr. Sievers replied that he did not know but would reach out to them again. Mr. Pappas believed that the problem was that they kept getting bought and sold.

Township 101 – Mr. Sievers asked the Board if they would like staff to pursue organizing a Township 101 for the residents. He suggested doing this only if the Forest Hills School District and the Anderson Township Park District would be willing to participate. The Board agreed.

Mr. Bowers introduced Jack Cunningham a co-op from the University of Cincinnati.

Facility Rental Rates – Ms. Sanders explained that the current marketing strategy for Anderson Center was word of mouth, *Anderson Insights* and her attendance at bridal shows. She had recently added networking with the Anderson Area Chamber of Commerce and other Cincinnati

area event groups. Her short- and medium-term goals were to design a more polished brochure. She was currently working with Mrs. Cowan on revamping the Anderson Center Events website. Additionally, she was working with Mrs. Earhart and Mr. Magna on changing the color scheme in the community meeting room by renovating the carpet and chairs. She was also discussing turning the Heritage Center into a level one arboretum with Mrs. Clingman. She would like a dedicated *Facebook* page for Anderson Center Events as well as an *Instagram* account. Furthermore, she was researching a web-based calendar system, pointing out that potential renters want to have as much information as possible before calling. Tied into all of these changes was the pricing structure. It had been several years since there were any changes in the rental prices. Therefore, she was suggesting a small increase of 20% in the residential prices and a decrease in non-residential prices. She also suggested an increase to the wedding package prices for both residents and non-residents due to the increase costs.

Mr. Dietz stated that he received an email regarding an issue with a theater rental. Mrs. Sanders replied that in the past there had not been much consistency in terms of rentals. Often times the residential rate or random discounts were applied without any historical knowledge. The individual in question had been paying the residential rate but lived in Blue Ash, explaining that Mrs. Meyer had given them the residential rate because many of their dancers were residents. They were told they could no longer be given the residential rate. They currently signed contracts for 2020 and 2021; therefore, the price stated in the contract would be honored and any additional rentals going forward would be at the non-resident rates. Mr. Gerth asked what the percentage of revenue was from the theater. Mrs. Sanders stated that she did not know. Mr. Gerth asked how much the theater was being used. Mrs. Sanders responded approximately 30 weeks out of the year. Mr. Gerth asked what was the number of groups that used the theater. Mrs. Sanders replied that there were three large groups. Mr. Gerth asked if those three groups occupied the theater 80% of the time. Mrs. Sanders replied that they did.

Mr. Gerth asked if those groups were to leave would there still be a demand for theater space. Mrs. Sanders replied that there would, pointing out that the theater rental price was incredibly low compared to other theaters in the area. Mr. Gerth asked if converting the theater into banquet type space would make more sense. Mrs. Sanders replied that she believed the theater was a great draw for the community but felt the Township was under charging for what the renters receive. Mr. Gerth stated that he was fully supportive of all the changes outlined and liked the new marketing approach.

Mrs. Stone questioned why Mrs. Sanders was suggesting closing the gap on the resident and non-resident pricing at the Senior Center, since residents were paying the taxes on the facility. Mrs. Earhart point out that the costs lie not necessarily within the structure but with the building attendants, staffing, and shuttle service. The residential rates did not cover all of the expenses. Mrs. Sanders agreed, stating that she was trying to bring the pricing structure up to a level to cover the cost of each individual event. The non-resident price would be a bit higher. Mrs. Stone believed that non-residents should be paying more than suggested and asked how the Township rates compared with other surrounding townships. Mrs. Sanders stated that she was continuing to do research. Mrs. Earhart pointed out that non-residents were not renting due to the rates. The hope was by lowering the non-resident rate more rentals would start to come in.

Mr. Gerth asked if some type of investment was needed to generate a higher yield on the rentals. Mrs. Sanders replied that the outside area at the Heritage Center was not practical without a tent, due to weather. After doing research on a long-term tent rental or a tent purchase, she did not believe, in terms of the financial payback, that a tent purchase was a viable option. She would like to start out with a two-month rental during May and June, months with the highest usage of the outside area, thus offering a different rental price which would be the Heritage Center plus the tent. Mr. Gerth asked if a permanent structure could be built at the Heritage Center. Mrs. Earhart replied that there was discussion regarding some type of a structure but the current trend with brides was a white tent. She also pointed out that Mrs. Sanders suggested purchasing 150 white chairs for outside events. Mrs. Stone requested that the number of resident versus non-resident calls be tracked.

Authorization to Bid Location System for Fire and Rescue –

**Resolution 19-0905-03: Mr. Pappas move to authorize the bid advertisement for the fire station location systems project. Mrs. Stone seconded the motion.**

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Senior Center Membership Rates for 2020 – Mrs. Earhart stated that the Senior Center Advisory Committee was asked for a recommendation on rates for 2020. The committee felt the current rate structure should be maintained for residents and non-residents thru 2020 because they plan to study membership issues, including pricing, and consider some innovative approaches for next year. Staff agreed that the non-resident rate should remain unchanged for 2020. However, staff recommended that resident rates be reduced in recognition of their contribution to the Center through property taxes.

CyberSecurity Policy Draft – Mrs. Earhart pointed out that steps had been taken to protect the Township's computer network through hardware and software upgrades nothing that 80% of the hackings and breaches that occur were due to stolen, weak, or easily guessable passwords. It was every employee's responsibility to protect the information they handle daily, therefore the CyberSecurity Policy would require/force employees to change their passwords every 90 days. Mr. Pappas asked what amount of resources were being spent on this. Mrs. Earhart recognized that Mr. Pappas had requested during the Planning Meeting that a dollar amount be divulged so the public could be made aware of how much was being spent to protect their data. She explained that that number was being compiled.

FCC Ruling – Cable Franchising Rules to Promote Broadband Deployment – Mrs. Earhart

explained that the Federal Communications Commission (FCC) Cable Franchising Rules would take effect September 26<sup>th</sup>. Currently, local franchising authorities may charge fees up to five percent of a cable operator's revenue which was defined as revenue derived from basic to expanded cable service, pay television, advertising, home shopping revenues, lease revenues, etc. The FCC's new rule would allow cable providers to include the "fair market value" of in-kind



franchise obligations in their calculation of "cable operator's revenue" which could result in reduced payments to local governments. The Ohio Township Association (OTA) has asked the National Association of Towns and Townships (NATAT) to prepare an analysis as they had been tracking the FCC ruling. The FCC was working to remove anything that it viewed as an impediment to the expansion of broadband. She was concerned that the Township may lose the over \$500,000 per year in General Fund revenue from video service providers fees due to FCC rulings.

Request to Authorize Under Speed or Utility Vehicles or Mini-Trucks on Township Streets - Mrs. Earhart stated that both the Township and Hamilton County Sheriff's Office had received inquiries from residents living in Eagleswatch and Berkshire Club who were interested in purchasing golf carts to drive their children around the neighborhood. The Ohio Revised Code statute permits local authorities to authorize the operation of unconventional vehicles on a public street or highway under its jurisdiction. She pointed out that there was no provision for car seats, or booster seats in golf carts. Mr. Pappas asked how request had been received. Mrs. Earhart replied that she had received one email, and Lt. McElroy had received four. Mr. Pappas did not feel that 5 requests out of 300 homes was huge percentage. Mrs. Earhart agreed, stating that she and Lt. McElroy had concerns about the safety of unconventional vehicles traveling on Township streets, crossing county roadways, and sharing the road with cars and trucks. The Board agreed.

Mr. Gerth moved to retire to Executive Session to consider the compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1) and to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2).

Mrs. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

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

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of November 21, 2019.

Josyda S. Gerth, President

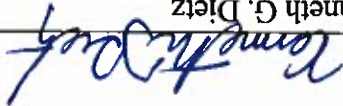
Kenneth G. Dietz, Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
September 5, 2019

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 5<sup>th</sup> day of September 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of November, 2019.

  
Kenneth G. Dietz  
Fiscal Officer

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on September 19, 2019, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

Joshua S. Gerth  
Robin D. Stone  
Andrew S. Pappas

Also present at the start of the meeting were Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, and Assistant Administrator for Operations Steve Sievers.

Mr. Gerth call the meeting to order and moved to retire to Executive Session Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Mr. Gerth moved to return from Executive Session to consider the discipline of a public employee as permitted by Ohio Revised Code Section 121.22(G)(1) and to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2). Mr. Pappas seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes

Mr. Gerth called the meeting to order and welcomed the additional attendees, including a number of citizens and other public officials including: Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Lt. Dan McElroy, Fiscal Office Manager Debbie Hucker and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.

Mr. Gerth moved to adopt the agenda with modifications. Mrs. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

### PRESENTATIONS AND RECOGNITIONS

Proclamation Declaring September, 2019 Suicide Prevention Awareness Month –

Resolution 19-0919-01: Mrs. Stone moved to adopt a proclamation resolution designating September 2019 as Suicide Prevention Awareness Month in Anderson Township as follows; Mr. Pappas seconded the motion:

### RESOLUTION NO. 19-0919-01

## PROCLAMATION RESOLUTION DESIGNATING SEPTEMBER 2019 AS SUICIDE PREVENTION AWARENESS MONTH IN ANDERSON TOWNSHIP

WHEREAS, in the United States, 1 in 5 adults and 1 in 6 youth aged 6-17 experience a mental health disorder each year; and

WHEREAS, suicide is the second leading cause of death among people aged 10-34; and

WHEREAS, suicide is the tenth leading cause of death in the U.S.; and

WHEREAS, the overall suicide rate in the U.S. has increased by 31% since 2001; and

WHEREAS, 46% of people who die by suicide had a diagnosed mental health condition;

and

WHEREAS, 90% of people who die by suicide have shown symptoms of a mental health condition, according to interviews with family, friends and medical professionals; and

WHEREAS, the best treatments for serious mental illnesses today are highly effective

leading to a significant reduction of symptoms and improved quality of life for between 70 and 90% of individuals; and

WHEREAS, taking on the challenges of mental health conditions and erasing the stigma around mental illness requires all of us;

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

SECTION 1. That this Board does hereby proclaim September 2019 as

### SUICIDE PREVENTION AWARENESS MONTH IN ANDERSON TOWNSHIP, OHIO

and urges all residents to learn the warning signs and risk factors for suicide and take time to show they care about mental health.

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

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Proclamation Declaring September Prostate Cancer Awareness Month -

Resolution 19-0919-02: Mr. Pappas moved to adopt a proclamation resolution designating September 2019 as Prostate Cancer Awareness Month in Anderson Township as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0919-02**

**PROCLAMATION RESOLUTION DESIGNATING  
SEPTEMBER 2019 AS PROSTATE CANCER AWARENESS MONTH  
IN ANDERSON TOWNSHIP**

WHEREAS, prostate cancer is the most common cancer among men in the United States and one of the leading causes of cancer deaths among men of all races; and

WHEREAS, this year, approximately 174,650 men will be diagnosed with prostate cancer in the United States and roughly 31,620 will die from the disease; and

WHEREAS, in Ohio an estimated 5,340 new cases of prostate cancer will be diagnosed and an estimated 1,130 deaths will occur in 2019; and

WHEREAS, Men with relatives - father, brother, son - with a history of prostate cancer are twice as likely to develop the disease; and

WHEREAS, prostate cancer is the most commonly diagnosed cancer in American men and the second leading cause of cancer death behind lung and colon cancer; and

WHEREAS, men who served in the military who have been exposed to chemicals and herbicides are at a higher risk for developing prostate cancer; and

WHEREAS, 1 in 9 men are diagnosed with prostate cancer in their lifetime and, African American men are 1.7 times more likely to be diagnosed with—and 2.3 times more likely to die from—prostate cancer than white men; and

WHEREAS, education regarding prostate cancer and early detection strategies are critical to saving lives, preserving, and protecting our families; and

WHEREAS, nearly 3 million men in the U.S. are living with a prostate cancer diagnosis; that number is estimated to climb to 4 million by 2024 as men in the baby boomer generation age; and

WHEREAS, raising awareness of prostate cancer, understanding the increased risks for developing it, and encouraging men to discuss prostate cancer with their healthcare provider may improve patient outcomes;

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

SECTION 1. That this Board does hereby proclaim September 2019 as

**PROSTATE CANCER AWARENESS MONTH IN ANDERSON TOWNSHIP, OHIO**

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

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

**PUBLIC FORUM**

Mr. Gerth invited members of the audience to address the Board. No one came forward.

**TRUSTEE COMMENTS**

Letter of Appreciation for Angie Stocker – Mr. Gerth stated that Angie Stocker had recently moved out of the Township and can no longer serve on that Anderson Park District Board of Commissioners. It is with deep appreciation that the Board of Trustees would like to recognize Angie Stocker for her almost 10 years of service to the Anderson Park District Board of Commissioners, her dedication greatly contributed to the Park District's ongoing commitment to delivery high quality services to the community. The Board thanked her and wished her well.

Resolution of Appreciation for Hamilton County Commissioner Todd B. Portune –

Resolution 19-0919-03: Mr. Gerth moved to adopt a resolution of appreciation for Hamilton County Commissioner Todd B. Portune as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 19-0919-03**

**RESOLUTION OF APPRECIATION  
HAMILTON COUNTY COMMISSIONER TODD B. PORTUNE**

WHEREAS, Todd B. Portune has faithfully served the residents of Hamilton County and Anderson Township as their elected County Commissioner since November 2, 2000; and,

WHEREAS, during his tenure, Commissioner Portune kept the interests of those residents at the forefront of his decision-making process; and,

WHEREAS, through Commissioner Portune's leadership roles with the Hamilton County Transportation Improvement District and the Ohio-Kentucky-Indiana Regional Council of Governments, transportation infrastructure throughout the region has been enhanced improving vehicular and pedestrian safety and furthering economic development; and

WHEREAS, during his tenure, Commissioner Portune was and is a strong supporter of the township form of government and often collaborated with Anderson Township Trustees and staff on key planning effort and policy decisions, ranging from the Eastern Corridor and Ancor Area development to community development block grant funding, to innovate and work toward the betterment of our community; and

WHEREAS, Commissioner Portune's actions and efforts have, and will continue, to leave a lasting, positive impact, on the quality of life for residents and businesses in Anderson Township; and

WHEREAS, Commissioner Portune continues to be an inspiration, friend and mentor to many;

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 honors and thanks Todd B. Portune for his exemplary career and specifically his dedicated public service to Hamilton County and Anderson Township.

SECTION 2. That this Board offers its full support and well wishes as Commissioner Portune enters what he has called "the biggest fight of his life."

SECTION 3. That a copy of this Resolution shall be certified by the Township Fiscal Officer to Todd B. Portune.

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 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

FISCAL OFFICER

Financial Reports – Mr. Dietz announced that the end of August financial reports were available for review.

LAW DIRECTOR

Resolution Accepting and Approving the Annual Information Filing of the Township for Fiscal Year 2018 and Directing its Filing with the MSRB for Continuing Disclosure Purposes –

Resolution 19-0919-04: Mr. Pappas moved to adopt a resolution accepting and approving the annual information filing of the Township for fiscal year 2018 and directing its filing with the MSRB for continuing disclosure purposes as follows; Ms. Stone seconded the motion:

RESOLUTION NO. 19-0919 - 04

**RESOLUTION ACCEPTING AND APPROVING THE ANNUAL INFORMATION FILING OF THE TOWNSHIP FOR FISCAL YEAR 2018 AND DIRECTING ITS FILING WITH THE MSRB FOR CONTINUING DISCLOSURE PURPOSES**

WHEREAS, the Township entered into a continuing disclosure agreement dated December 10, 2014 (the "2014 CDA"), in connection with the issuance of its Various Purpose General Obligation (Limited Tax) Refunding Bonds, Series 2014, dated December 18, 2014; and

WHEREAS, the 2014 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");

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 2018 (the "Annual Information Filing"), be 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 signing of the document by the Fiscal Officer; 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.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Providing for the Issuance and Sale of Bonds –

Resolution 19-0919-05: Ms. Stone moved to adopt a resolution providing for the issuance and sale of bonds in an aggregate principal amount not to exceed \$3,200,000 for the purpose of paying the cost of acquiring and constructing certain improvements to the Beech Acres Recplex in the Township, together with necessary appurtenances thereto, paying capitalized interest, and paying financing cost with respect to the issuance of the bonds as follows; Mr. Pappas seconded the motion:

RESOLUTION NO. 19-0919-05

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,200,000 FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING AND CONSTRUCTING CERTAIN IMPROVEMENTS TO THE BEECH ACRES RECPLX IN THE TOWNSHIP, TOGETHER WITH NECESSARY APPURTENANCES THERETO, PAYING CAPITALIZED INTEREST, AND PAYING FINANCING COSTS WITH RESPECT TO THE ISSUANCE OF THE BONDS.

WHEREAS, by Resolution No. 19-0117-02 duly passed by this Board on January 17, 2019, this Board declared its intent to reimburse certain expenditures for a recreational facility improvement project located at 6915 Beechmont Avenue in Anderson Township from the proceeds of bonds or bond anticipation notes to be issued for the purpose of financing costs associated with said recreational facility improvements; and

WHEREAS, this Board finds and determines that it will be in the Township's best interest to undertake certain improvements to the Beech Acres Recplex, also known as the Geiger

Activities Center, Geiger Building, or Geiger Center, located at 6815 Beechmont Avenue in Anderson Township and owned in fee by the Township (the "Recreational Facility"); and

WHEREAS, the capital improvements to be made to the Recreational Facility include, without limitation, water and gas utilities relocation, roof and masonry improvements, installation of new windows, acoustical ceiling, entrance doors, drywall, and flooring, electrical improvements, together with certain improvements related to parking and access (collectively, the "Improvements"); and

WHEREAS, the estimated costs of acquiring and constructing the Improvements to the Recreational Facility, together with appurtenances necessary thereto (collectively, the "Project"), Financing Costs (as defined herein), and capitalized interest over a period not to exceed twenty-four (24) months ("Capitalized Interest") are estimated at a maximum amount of \$3,200,000; and

WHEREAS, this Board by action taken this day expects to award contracts in connection with the acquisition and construction of the Project, and the Fiscal Officer must be able to certify the availability of funds with respect to said contracts; and

WHEREAS, this Board finds and determines that it will be in the Township's best interest to issue general obligation bonds of the Township in accordance with Chapter 133 of the Ohio Revised Code, in an aggregate principal amount not to exceed \$3,200,000 (the "Bonds"), for the purpose of paying the costs of acquiring and constructing the Project, paying Financing Costs and Capitalized Interest related to the issuance of the Bonds; and

WHEREAS, this Board has requested that the Fiscal Officer, as fiscal officer of this Township, certify the estimated life or period of usefulness of the Improvements and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Fiscal Officer has certified to this Board that the estimated life or period of usefulness of the Improvements is at least five (5) years and that the maximum maturity of the Bonds is at least thirty(30) years;

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. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$5,000 or any integral multiple in excess thereof.

"Bond Proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Purchase Agreement, the Registrar Agreement, and such

other proceedings of the Township, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"*Bond Register*" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"*Bond Registrar*" means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "*Bond Registrar*" shall mean the successor Bond Registrar.

"*Bonds*" means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

"*Book entry form*" or "*book entry system*" means a form or system under which (a) the ownership of beneficial interests in the Bonds and the principal of and interest and any premium on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the Township and payable only to a Depository or its nominee as registered owner, with the certificates deposited with and "immobilized" in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the Township is the record that identifies the owners of beneficial interests in the Bonds and that principal and interest.

"*Certificate of Award*" means the certificate authorized by Section 6, to be executed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement which shall constitute the continuing disclosure agreement made by the Township for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule, as it may be modified

from the form on file with the Fiscal Officer and executed by the President of the Board of Township Trustees and the Fiscal Officer, all in accordance with Section 9(c).

"*Depository*" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"*Financing Costs*" shall have the meaning given in Section 133.01 of the Ohio Revised Code.

"*Fiscal Officer*" means the Fiscal Officer of the Township.

"*Interest Payment Dates*" means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

"*Mandatory Redemption Date*" shall have the meaning set forth in Section 3(b).

"*Mandatory Sinking Fund Redemption Requirements*" shall have the meaning set forth in Section 3(e)(1).

"*Original Purchaser*" means PNC Capital Markets LLC.

"*Participant*" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"*President of the Board of Township Trustees*" means the President or the Chair of the Board of Township Trustees of the Township, and in his or her absence means the Vice President or Vice Chair of the Board of Township Trustees of the Township.

"*Principal Payment Dates*" means December 1 in each of the years as determined by the Fiscal Officer in the Certificate of Award, *provided that* in no case shall the final Principal Payment Date of the portion of the Bonds allocable to any component of the Project exceed the maximum maturity limitation referred to in the preambles hereto for that related component, if any, all of which determinations shall be made by the Fiscal Officer in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the Township.

"*Purchase Agreement*" means the Bond Purchase Agreement between the Township and the Original Purchaser, as it may be modified from the form on file with the Fiscal Officer and executed by the President of the Board of Township Trustees and the Fiscal Officer, all in accordance with Section 6.

"Registrar Agreement" means the Bond Registrar Agreement between the Township and the Bond Registrar, as it may be modified from the form on file with the Fiscal Officer and executed by the President of the Board of Township Trustees and the Fiscal Officer, all in accordance with Section 4.

"Regulations" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Term Bonds" means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

"Township" means Anderson Township (Hamilton County), Ohio.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

SECTION 2. Authorized Principal Amount and Purpose: Application of Proceeds. This Board determines that it is necessary and in the best interest of the Township to issue bonds of this Township in an aggregate principal amount not to exceed \$3,200,000 (the "Bonds") for the purpose of paying the costs of acquiring and constructing the Improvements to the Recreational Facility, together with necessary appurtenances thereto, the Financing Costs with respect to the issuance of the Bonds, and the Capitalized Interest with respect to the Bonds. The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, this Resolution and the Certificate of Award.

The aggregate principal amount of Bonds to be issued shall not exceed the maximum aggregate principal amount specified in this Section and shall be an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section, taking into account the costs of the Project, the estimates of the Financing Costs and the estimate of interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the Township (or withheld by the Original Purchaser on behalf of the Township) shall be paid into the proper fund or funds, and

those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any paying agent and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Fiscal Officer, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award and the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the Township. Any portion of those proceeds received by the Township representing premium (after payment of any Financing Costs identified in the Certificate of Award) shall be paid into the Township's Bond Retirement Fund, with such determination being made by the Fiscal Officer in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the Township. Any portion of those proceeds received by the Township representing accrued interest shall be paid into the Township's Bond Retirement Fund.

**SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions.** The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the Township.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the Township, the Fiscal Officer shall specify in the Certificate of Award (1) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date or Dates on which Term

Bonds shall be subject to mandatory sinking fund redemption (each a "Mandatory Redemption Date") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate a net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds not exceed 6.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "Mandatory Sinking Fund Redemption Requirements").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The Township shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and

corresponding mandatory redemption obligation) of the Township, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the Township on or before the 45<sup>th</sup> day preceding any Mandatory Redemption Date with respect to which the Township wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the Township for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of the Township by passage of a resolution. That notice shall specify the redemption



date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the Township. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unamortized and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the Township by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Registrar maintained by the Bond Registrar at the close of business on the 15<sup>th</sup> day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued

interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Bonds called for redemption.

**SECTION 4. Execution and Authentication of Bonds: Appointment of Bond Registrar.**  
The Bonds shall be signed by at least two members of the Board of Township Trustees and the Fiscal Officer, in the name of the Township and in their official capacities, *provided* that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, this Resolution and the Certificate of Award.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The President of the Board of Township Trustees and the Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Registrar Agreement between the Township and the Bond Registrar, in substantially the form as is now on file with the Fiscal Officer. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by those Township officials on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond

Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the Township will cause the Bond Registrar to maintain and keep the Bond Registrar at its designated corporate trust office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Registrar shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the Township nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Registrar upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unamatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the Township. In all cases of Bonds exchanged or transferred, the Township shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the Township nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the Township, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity, and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose, which may be the Bond Registrar; (ii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assignees of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, after review by the Law Director, in the name and on behalf of the Township that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

**SECTION 6. Sale of the Bonds to the Original Purchaser.** The Fiscal Officer is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Bonds with one or more other bond issues of the Township into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may

be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The President of the Board of Township Trustees and the Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Purchase Agreement between the Township and the Original Purchaser, in substantially the form as is now on file with the Fiscal Officer, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by those Township officials on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The Trustees, or any of them, the Fiscal Officer, the Township Administrator, the Law Director and other Township officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

**SECTION 7. Provisions for Tax Levy.** There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

The amount of said tax to be levied or collected in any year shall be reduced by the amount to be available for the purpose of paying debt charges on the Bonds from (a) any surplus in the Township's Bond Retirement Fund, (b) the proceeds of sale of any bonds of the Township issued for the purpose of retiring the Bonds, or (c) lawfully available service payments in lieu of taxes received and to be received by virtue of this Board's Resolution No. 18-1004-03, which service payments are hereby pledged, to the extent required, to secure payment of debt charges on the Bonds; the Township reserves the right to make additional such pledges on a parity with this pledge.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the Township to the prompt payment of the debt charges on the Bonds or the use by this Board of other lawfully available funds for the prompt payment of the debt charges on the Bonds.

**SECTION 8. Federal Tax Considerations.** The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Bonds as the Township is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Bonds, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Bonds, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt

obligations" in the Certificate of Award if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 9. Official Statement, Rating, Bond Insurance, Continuing Disclosure and Financing Costs.

(a) Primary Offering Disclosure -- Official Statement. The President of the Board of Township Trustees and the Fiscal Officer are each authorized and directed, on behalf of the Township and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this Township, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, after review by the Law Director, in the name of and on behalf of the Township that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the Township agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule.

The President of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the Township, in substantially the form as is now on file with the Fiscal Officer. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by those Township officials on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Law Director and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award and the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 10. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to promptly deliver a certified copy of this Resolution and an executed copy of the Certificate of Award to the County Auditor of Hamilton County, Ohio.

SECTION 11. Satisfaction of Conditions for Bond Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the Township are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, this Resolution, the Certificate of Award, and other authorizing provisions of law.

SECTION 12. Preambles. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.



SECTION 13. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or any of its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

SECTION 14. Effective Date. This Resolution shall be in full force and effect immediately upon its passage.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

## PLANNING & ZONING

Nuisance Abatement, 7703 Arlington Avenue -

Resolution 19-0919-06: Mr. Pappas moved to adopt a resolution determining existence of nuisance on land owned by Michelle D. Moreno, located at 7703 Arlington Avenue, in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.87 as follows; Ms. Stone seconded the motion:

### RESOLUTION N.O. 19-0919-06

**RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY  
MICHELLE D. MORENO, LOCATED AT 7703 ARLINGTON AVENUE, IN  
ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION  
PURSUANT TO ORC SECTION 505.87**

Whereas, a board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance, pursuant to Ohio Revised Code Section 505.87 (the "Statute");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (THE "BOARD") OF ANDERSON TOWNSHIP, OHIO (the "Township"), that:

Section 1. Maintenance of the vegetation, garbage, refuse or other debris by the owner or owners (the "owner"), as specified in Schedule A hereto (which by this reference is incorporated herein), is hereby determined to constitute a nuisance within the meaning of the Statute and the owner is hereby ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris as set forth herein.

Section 2. If the owner of the land upon which the nuisance is located is determined by the Zoning Inspector to be a resident of the Township or a nonresident whose address is known,

**RESOLUTION ORDERING THE REMOVAL OF UNSAFE STRUCTURE ON LAND OWNED BY ALYSA BUCHANAN AND LOCATED AT 1579 COLLINSDALE AVENUE, ANDERSON TOWNSHIP, OHIO 45230, PURSUANT TO SECTION 505.86 OF THE REVISED CODE.**

**RESOLUTION NO. 19-0919-07**

Removal of Unsafe Structure on Land Owned by Alysa Buchanan, 1579 Collinsdale Avenue - Resolution 19-0919-07: Ms. Stone moved to adopt a resolution ordering the removal of unsafe structure on land owned by Alysa Buchanan and located at 1579 Collinsdale Avenue, Anderson Township, Ohio 45230, pursuant to Section 505.86 of the Revised Code; Mr. Pappas seconded the motion:

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

There was no further discussion.

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

Section 3. If, within seven (7) days after the giving of the notice or notices provided for in Section 2 hereof, the owner of such land fails to abate, control, or remove the vegetation, garbage, refuse or debris, and no agreement is entered into with the Board under Ohio Revised Code Section 505.87(B)(2) to provide for the abatement, control, or removal, then the Director of Planning & Zoning, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from moneys not otherwise appropriated. Those expenses shall be recovered by the Township pursuant to Ohio Revised Code Section 505.87(F).

Section 4. The Zoning Inspector shall give notice to such owner, on behalf of this Board, in substantially the form attached hereto as Schedule A, by posting that notice in a sheltered place and/or in a waterproof envelope on the principal structure (if any) on such land and photographing the posted notice with a camera capable of recording the date of the photograph on it. Such notice shall also be sent, on behalf of this Board, by certified mail to each lienholder of record. If such owners address is unknown and cannot reasonably be obtained, the Zoning Inspector shall cause such notice to be published once in a newspaper of general circulation in the Township.

WHEREAS, Section 505.86 of the Revised Code (the "Statute") provides that a board of township trustees may provide for the removal, repair or securing of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the Hamilton County Planning & Development Department (the "Department") is responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations and the performance of building inspections in Anderson Township; and

WHEREAS, the residential structure (the "Structure") located at 1579 Collinsdale Avenue, Anderson Township, Ohio 45230 (further identified as Hamilton County Auditor's Parcel No. 500-0281-0014-00) (the "Property"), has been deemed to be an "unsafe building" and a "serious hazard" within the meaning of Residential Code of Ohio ("RCO") Section 109.4 by the Department and to be an unsafe structure not approved for occupancy or use in an Official Building Order dated April 3, 2019 (the "County Order"); and

WHEREAS, the owner of record of the Property and Structure is Alysa Buchanan (the "Owner"); and

WHEREAS, the County Order concludes that the Structure shall be repaired or demolished, with approvals required by Ohio Building Code Section 105.1 because the Structure has deteriorated so badly that it is unsafe to occupy; and notifies the Owner that she has a right to appeal the decision within thirty (30) days of the mailing of the notice by filing for a hearing with the Board of Building Appeals at 138 E. Court Street, Cincinnati, Ohio 45202 at which hearing she may be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against her, which right of appeal expired May 20, 2019; and

WHEREAS, the County Order relates to a Field Order dated February 14, 2019 declaring the need to raze the Structure; and

WHEREAS, the Owner had requested of the Department additional time within which to make repairs and the Department had provided certain extensions, which extensions expired without compliance by the Owner; and

WHEREAS, in a letter to the Anderson Township Trustees dated July 25, 2019, the Department referred the matter to this Board for appropriate action; and

WHEREAS, the last known mailing addresses of the Owner are 1826 Eight Mile Road, Cincinnati, OH 45255, to which address tax bills for the Property are mailed, and 1480 Sugar Creek Blvd, Sugar Land, TX 77478, where the Owner sometimes resides; and

WHEREAS, this Board passed Resolution No. 19-0815-05 providing for the removal of the Structure pursuant to the Statute; and  
WHEREAS, notice of passage of Resolution No. 19-0815-05 was duly given in compliance with the Statute and no written request has been received from a party in interest requesting a public hearing with respect to the matter;

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. In accordance with paragraph (C) of the Statute, this Board hereby determines that no written request for a public hearing with respect to the Property has been received by the Fiscal Officer and noticed to this Board, and, therefore, this Board deems it to be in the best interest of the Township to proceed with the removal of the Structure, and this Board so orders that the Structure be removed from the Property 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.

SECTION 2. Unless the Structure has been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform the removal of the Structure or repair of the Structure under paragraph (D) of the Statute, the Township Administrator shall proceed to provide for the removal of the Structure in accordance with SECTION 1 hereof, and the "total cost" of such removal, as defined in paragraph (A) of the Statute, shall be collected by the Fiscal Officer in accordance with paragraph (F)(1) of the Statute.

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

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

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

**SHERIFF'S OFFICE**

Liquor License Transfer Request for American Multi Cinema Inc. & Patio, located at 7490 Beechmont Avenue -

Resolution 19-0919-08: Ms. Stone moved not to object to a liquor license transfer request for American Multi Cinema Inc. & Patio located at 7490 Beechmont Avenue. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

#### PUBLIC WORKS DEPARTMENT

Acceptance of County Salt Bids -

Resolution 19-0919-09: Mr. Pappas moved to authorize the Township Administrator to enter into a contract with Cargill, Inc. for the purchase of Road De-Icing Salt under the Hamilton County contract, for the 2019 winter season at a rate of \$89.66 per ton delivered. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

#### FIRE & RESCUE

Emergency Services Day Announcement - Chief Martin announced that Emergency Services Day would be held on October 5<sup>th</sup>. Anderson Township Fire and Rescue and the Hamilton County Sheriff's Office teamed up to share educational experiences just for kids. Hamilton County Sheriff's Office deputies had personnel and apparatus on hand as well.

#### ADMINISTRATION

Commonwealth Park OPWC Loan Application -

Resolution 19-0919-10: Mr. Pappas moved to adopt a resolution authorizing an application for a grant or loan to fund improvements to roadways in the Commonwealth Park Subdivision as follows; seconded the motion:

#### RESOLUTION NO. 19-0919-10

### RESOLUTION AUTHORIZING AN APPLICATION FOR A GRANT OR LOAN TO FUND IMPROVEMENTS TO ROADWAYS IN THE COMMONWEALTH PARK SUBDIVISION

WHEREAS, proper maintenance of Anderson Township's more than 120 miles of roadways is critical to ensuring safety for users, and helps to maintain property values; and

WHEREAS, Anderson Township has had a long history of utilizing a variety of funding sources to maintain this infrastructure, including grants, loans, TIF funds, and a road levy, approved by voters in 1994; and

WHEREAS, the Ohio Public Works Commission annually allocates loan and grant funds to local jurisdictions to assist with the maintenance of roadways and related infrastructure;

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

SECTION 1. That this Board hereby authorizes the Township Administrator to make application to the State Capital Improvement Program ("SCIP") to obtain a grant or loan to fund improvements to roadways in the Commonwealth Park subdivision, as outlined by staff in a memo dated August 28, 2019, which grant or loan would greatly reduce the Township's expenditures to improve roadways and safety in said subdivision; provided that, if such grant or loan is approved, the financial commitment of the Township shall not exceed \$1,303,000.

SECTION 2. That this Board hereby authorizes the Township Administrator, if such application to SCIP is approved, to enter into such agreements with the Ohio Public Works Commission as may be reasonably necessary in connection with said grant or loan.

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.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Grant Application for SCIP Funds for Asbury Road -

Resolution 19-0919-11: Ms. Stone moved to adopt a resolution authorizing agreement with the Hamilton County Engineer's Office as follows; Mr. Pappas seconded the motion:

RESOLUTION NO. 19-0919-11

**RESOLUTION AUTHORIZING AGREEMENT WITH  
THE HAMILTON COUNTY ENGINEER'S OFFICE**

WHEREAS, proper maintenance of the roadways in Anderson Township, including those maintained by the Hamilton County Engineer's Office and Ohio Department of Transportation, is critical to ensuring safety for users, and helps to maintain property values; and

WHEREAS, Anderson Township has a long history of utilizing a variety of funding sources and partnerships to assist with maintenance of Hamilton County and State of Ohio infrastructure, including grants, loans, and TIF funds; and

WHEREAS, the Ohio Public Works Commission annually allocates loan and grant funds to local jurisdictions to assist with the maintenance of roadways and related infrastructure;

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

SECTION 1. That this Board hereby authorizes the Township Administrator to enter into agreement with the Hamilton County Engineer's Office and/or to submit grant applications for State Capital Improvement Program (SCIP) for repairs/paving to Asbury Road (US 52 to Ayers Road (eastern intersection)), as outlined by staff in its memo dated August 28, 2019 (Hamilton County Engineer's office construction cost estimates below). Township matching funds for this project would not exceed the figures listed below and would be generated from the Ohio Riverfront TIF Fund.

Asbury Road Improvements			
Est. Total Cost	Est. Grant Cost	Est. Township Cost	Est. County Cost
\$1,220,100	\$614,550	\$245,820	\$368,730

SECTION 2. That this Board hereby authorizes the Township Administrator, if such application to SCIP is approved, to enter into such agreements with the Ohio Public Works Commission as may be reasonably necessary in connection with said grant or loan.

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.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Building Attendant Salary Adjustment -

Resolution 19-0919-12: Mr. Pappas moved to authorize a \$2.00 per hour increase to the pay rate of all current and newly hired, part-time Building Attendants effective September 29, 2019. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Acceptance of Bids for RecPlex Renovation -

Resolution 19-0919-13: Ms. Stone moved that this Board hereby accepts the Bid of \$1,930,000.00, from Perkins/Carmack Construction, LLC deemed to be the most responsive and responsible bidder for the Alterations to Anderson Parks RecPlex project in accordance with the Bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$2,123,000.00 in TIF funds; 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 Perkins/Carmack Construction, LLC in accordance with their Bid for the Alterations to Anderson Parks RecPlex project. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Acceptance of Facility Rental Rates -

Resolution 19-0919-14: Mr. Pappas moved to establish Anderson Township Venue prices as presented effective January 1, 2020. Ms. Stone seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Establish Senior Center Membership Rates for 2020 -

Resolution 19-0919-15: Ms. Stone moved to set the Anderson Township Senior Center membership rate for Anderson Township residents at \$15 per single or \$25 per couple and the non-resident rate at \$40 per single or \$65 per couple effective January 1, 2020. Mr. Pappas seconded the motion.

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

Resolution Approving the Anderson Township Cybersecurity Policy -



Resolution 19-0919-16: Mr. Pappas moved to adopt a resolution approving the Anderson Township Cybersecurity policy as follows; Ms. Stone seconded the motion:

**RESOLUTION NO. 19-0919-16**

**RESOLUTION APPROVING THE ANDERSON TOWNSHIP CYBERSECURITY POLICY**

**WHEREAS**, this Board shares the concern of governmental entities and legislative bodies relating to the national and global threat to cybersecurity of governmental information, records and data; and

**WHEREAS**, this Board has worked with ROI Technologies, LLC, an independent technology consulting firm ("Technology Consultant"), for several years on matters relating to the use of technology by Township staff; and

**WHEREAS**, the Township Administrator and the Technology Consultant have recommended that this Board implement certain protective measures to mitigate the risk of cybersecurity incidents including, without limitation and only by way of example, attempts to gain unauthorized access to Township electronic records, unwanted denial of service, and attempts to cause information system failures, which could threaten the confidentiality, integrity and availability of Township information, records and data that are created, transmitted and stored by electronic means;

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

**SECTION 1.** This Board hereby approves the Anderson Township Cybersecurity Policy as presented to this Board and directs the Township Administrator to implement and enforce that Policy as soon as is practicable.

**SECTION 2.** This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including (without limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

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

There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
September 19, 2019

Items Arising from Executive Session Discussion – Mrs. Earhart announced that there were no decisions coming out of Executive Session.

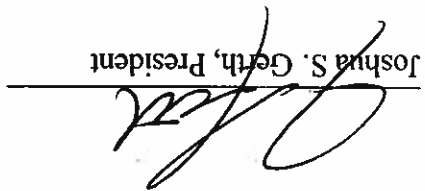
There was no further discussion.

Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.

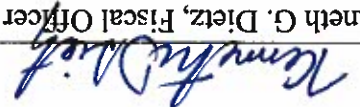
As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of \_\_\_\_\_ November \_\_\_\_\_, 2019.

Joshua S. Gerth, President



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 19<sup>th</sup> day of September 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of \_\_\_\_\_ November \_\_\_\_\_, 2019.

Kenneth G. Dietz, Fiscal Officer

