

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

December 19, 2019

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on December 19, 2019, at 4:00 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, Assistant Administrator for Operations Steve Sievers and Assistant Administrator for Human Resources Suzanne Parker.

Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code 121.22(G)(1). 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. Mrs. Stone 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 Manger Debbie Hucker and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.

Mrs. Stone moved to adopt the agenda with modifications. Mr. Pappas 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

Oath of Office R. Dee Stone – **Mr. Dietz** administered the oath of office to re-elected Township Trustee R. Dee Stone.

Resolution Authorization Acceptance of Donation from the Trees in Gratitude Program Funded by Bruce J. Berno –

Resolution 19-1219-01: Mr. Pappas moved to adopt a resolution accepting donation of trees to the Township from the Trees in Gratitude Program, funded by Bruce J. Berno, pursuant to the authority of Section 505.10 of the Revised Code as follows; Mrs. Stone seconded the motion:

RESOLUTION NO. 19-1219-01

**RESOLUTION ACCEPTING DONATION OF TREES TO THE TOWNSHIP FROM
THE TREES IN GRATITUDE PROGRAM, FUNDED BY BRUCE J. BERNO,
PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

WHEREAS, Section 505.10(A) of the Revised Code (the “Statute”) provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, the Trees in Gratitude Program, funded by Bruce J. Berno, desires to donate thirty-six trees and related items, including soil preparation, deer protection, and transportation, and soil preparation and spring wood chips and mulching to be completed in 2020, for a total investment of \$1,919.56. Thirty-one trees were planted at the Bauer Greenspace for woodland restoration. Also two trees at the Heritage Center as part of the arboretum, one at the Walls Greenspace near the adjacent bike trail and two trees as replacements for previously planted trees.

WHEREAS, this Board desires to accept the donation of the Property;

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. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from the Trees in Gratitude Program, funded by Bruce J. Berno, pursuant this Board’s authority contained in the Statute.

SECTION 2. This Board hereby accepts the donation of the Property from the Trees in Gratitude Program, funded by Bruce J. Berno, pursuant this Board’s authority contained in the Statute and hereby expresses its appreciation to Mr. Berno for making said donation.

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) 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.

Toy Drive – **Assistant Chief Herrlinger** recognized Firefighter’s Doug Egan and Mike Montique who organized a toy drive called “Stuff the Medic Unit” Toy Drive. The firefighters teamed with “9 United”, a charity that worked with the Forest Hills School District, St. Timothy’s, Interparish Ministries, St. Josephs Orphanage and Beech Acres. On December 11th the firefighters delivered to 9 United and Interparish Ministries a total of 825 individual toys in addition to \$250 in cash for local distribution.

PUBLIC FORUM

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

TRUSTEE COMMENTS

Moody's Rating Announcement – **Mr. Gerth** announced that the Township received a Aaa credit rating from Moody's Investors Service. This spoke volumes to how fiscally responsible the Township staff were. He thanked everyone for their hard work.

FISCAL OFFICER

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

Appropriation Changes –

Resolution 19-1219-02: **Mr. Pappas** moved to approve the appropriation changes within the same fund as detailed by **Mr. Dietz** and as follows. **Mrs. Stone** seconded the motion.

Appropriation Changes within Same Fund

GENERAL

01.1100.15	+\$ 4,800	Workers Compensation
01.1100.17	- \$ 4,800	Auditor/Treasurer Charges

PUBLIC WORKS

04.1100.03	+\$ 9,500	Workers Compensation
04.1100.04	- \$ 9,500	Tools & Equipment

SHERIFF

09.1100.03	+\$ 700	Workers Compensation
09.1100.07	- \$ 700	Tools & Equipment

FIRE

10.1100.03	+\$110,300	Workers Compensation
10.1100.10	- \$ 70,000	Repairs
10.1100.15	- \$ 40,300	Misc. Expense

There was no further discussion.

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

Presentation of Final Summary Appropriations and Revenues –

Resolution 19-1219-03: **Mr. Pappas** moved to approve the 2019 final summary appropriation and revenue report as presented by the Fiscal Officer. **Mrs. Stone** seconded the motion.

There was no further discussion.

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

LAW DIRECTOR

Stonegate TIF –

Resolution 19-1219-04: Ms. Stone moved to adopt a resolution removing parcels of real property from operation of Resolution No. 94-0628-04, as amended, as follows; Mr. Pappas seconded the motion:

RESOLUTION NO. 19-1219-04

**A RESOLUTION REMOVING PARCELS OF REAL PROPERTY FROM
OPERATION OF RESOLUTION NO. 94-0628-04, AS AMENDED**

WHEREAS, by Resolution No. 94-0628-04 (the “1994 TIF Resolution”), the Board of Township Trustees of Anderson Township established the Anderson Township Tax Increment area (the “1994 TIF”), declaring to be a public purpose for thirty (30) years from the effective date of the 1994 TIF Resolution, the public improvements therein described deemed to be necessary for the development of the parcels of land described in Exhibit B to the 1994 TIF Resolution (the “TIF Parcels”), and exempting from real property taxation all “further improvements” to the TIF Parcels; and

WHEREAS, the thirty year term of the 1994 TIF commenced June 28, 1994; and

WHEREAS, Exhibit A to the 1994 TIF Resolution, relating to public infrastructure improvements, was amended by Resolution 01-1220-20; and

WHEREAS, Exhibit B to the 1994 TIF Resolution has been amended from time to time to remove parcels of real property from operation of the 1994 TIF Resolution; and

WHEREAS, by Resolution 16-0519-05, this Board authorized the amendment of the 1994 TIF Resolution, as then amended, to provide for an extension of the thirty year term of the 1994 TIF for an additional period of fifteen years; and

WHEREAS, Hamilton County Auditor’s Parcel No. 500-0201-0398-00 is a parcel comprised of three components, which parcels (or the predecessors to those parcels) were included on Exhibit A to the 1994 TIF Resolution;

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

SECTION 1. Removal of Parcels from the 1994 TIF. The parcels of real estate identified by the Hamilton County Auditor’s Parcel Numbers on Exhibit A attached hereto, including those predecessor parcels now represented by the County Auditor’s Parcel Numbers on Exhibit A, which by this reference is made a part hereof, are hereby removed from operation of the 1994 TIF Resolution heretofore passed by this Board, as the same has been amended to date, and are hereby deleted from Exhibit B to the 1994 TIF Resolution.

SECTION 2. Certifications. Copies of this Resolution shall be certified by the Fiscal Officer to the County Auditor of the County of Hamilton, Ohio, and to the Tax Commissioner of the State of Ohio.

SECTION 3. Open Meetings. 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 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.

SECTION 4. 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.

Resolution Creating a TIF Area Pursuant to Section 5709.73 of the Ohio Revised Code –

Resolution 19-1219-05: Mr. Pappas moved to adopt a resolution creating a TIF Area pursuant to Section 5709.73(B) of the Ohio Revised Code, declaring the improvement to the parcels of real property located within the TIF Area to be a public purpose, exempting from real property taxation 100% of that improvement, requiring the owner(s) of the parcels to make service payments in lieu of taxes, providing for the distribution of a portion of those service payments to the Forest Hills Local School District and the Great Oaks Institute of Technology and Career Center Joint Vocational School District, establishing a Township public improvement tax increment equivalent fund for the deposit of the remainder of those service payments, specifying the public infrastructure improvements to be made that directly benefit the parcels, and approving and authorizing the execution of a revenue sharing agreement with the Forest Hills Local School District as follows; Mrs. Stone seconded the motion:

RESOLUTION NO. 19-1219-05

A RESOLUTION CREATING A TIF AREA PURSUANT TO SECTION 5709.73(B) OF THE OHIO REVISED CODE, DECLARING THE IMPROVEMENT TO THE PARCELS OF REAL PROPERTY LOCATED WITHIN THE TIF AREA TO BE A PUBLIC PURPOSE, EXEMPTING FROM REAL PROPERTY TAXATION 100% OF THAT IMPROVEMENT, REQUIRING THE OWNER(S) OF THE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDING FOR THE DISTRIBUTION OF A PORTION OF THOSE SERVICE PAYMENTS TO THE FOREST HILLS LOCAL SCHOOL DISTRICT AND THE GREAT OAKS INSTITUTE OF TECHNOLOGY AND CAREER CENTER JOINT VOCATIONAL SCHOOL DISTRICT, ESTABLISHING A TOWNSHIP

PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCELS, AND APPROVING AND AUTHORIZING THE EXECUTION OF A REVENUE SHARING AGREEMENT WITH THE FOREST HILLS LOCAL SCHOOL DISTRICT.

WHEREAS, Sections 5709.73, 5709.74 and 5709.75 of the Ohio Revised Code (collectively, the “*TIF Statutes*”) authorize a board of township trustees, by resolution, to declare the improvement to each parcel of real property located within the township to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district and the applicable joint vocational school district, establish a township public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, the parcels of real property identified and depicted in Exhibit A attached hereto (as now or hereafter configured on the tax list and duplicate for Hamilton County, Ohio, the “*Parcels*” and individually, each a “*Parcel*”) are located in Anderson Township (County of Hamilton), Ohio (the “*Township*”), and this Board of Township Trustees (the “*Board*”) has determined to declare the Improvements (as defined in Section 1 of this Resolution) to the Parcels to be a public purpose; and

WHEREAS, this Board has determined that it is necessary and appropriate and in the best interest of the Township to exempt from taxation one hundred percent (100%) of the Improvements to the Parcels as permitted and provided in Section 5709.73(B) of the Ohio Revised Code for up to thirty (30) years (the “*TIF Exemption*”) and to simultaneously direct and require the current and future owner(s) of the Parcels (each such owner individually, the “*Owner*,” and collectively, the “*Owners*”) to make annual Service Payments (as defined in Section 2 of this Resolution) with respect to the Parcels in lieu of the real property tax payments, and in the same amount as each would have made real property tax payments except for the exemption provided by this Resolution; and

WHEREAS, the Township has determined to pay a portion of the Service Payments with respect to the Parcels to the Forest Hills Local School District (the “*FHLSD*”) and the Great Oaks Institute of Technology and Career Center Joint Vocational School District (the “*JVSD*” and together with the FHLSD, the “*School Districts*”); and

WHEREAS, pursuant to Section 5709.73 of the Ohio Revised Code, the Township will compensate Great Oaks Institute of Technology and Career Center Joint Vocational School District (the “*JVSD*” and together with the FHLSD, the “*School Districts*”) at the same rate and under the same terms received by FHLSD, meaning that the Township will compensate the JVSD

at the same percentage rate of the amount of taxes that the JVSD would have received had the Improvements to the Parcels not been exempted from property taxes; and

WHEREAS, pursuant to Section 5709.75(A) of the Ohio Revised Code, this Board has determined to establish a township public improvement tax increment equivalent fund for the Parcels, into which there shall be deposited the Service Payments generated by the Parcels and distributed to the Township; and

WHEREAS, this Board has determined to provide for the construction of the public infrastructure improvements described in Exhibit B attached hereto (the "*Public Infrastructure Improvements*"), which are necessary for the development of and, once made, will directly benefit the Parcels; and

WHEREAS, notice of consideration of this Resolution has been delivered to the respective Boards of Education of FHLSD and the JVSD in accordance with and within the time periods prescribed in Sections 5709.73 and 5709.83 of the Ohio Revised Code; and

WHEREAS, the Board of Education of FHLSD has passed a resolution wherein it waived any notice requirements of Sections 5709.73 and 5709.83 of the Ohio Revised Code with respect to the passage of this Resolution;

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

SECTION 5. Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.73(B) of the Ohio Revised Code, this Board hereby finds and determines that one hundred percent (100%) of the increase in assessed value of the Parcels subsequent to the effective date of this Resolution (which increase in assessed value is hereinafter referred to as the "*Improvement*" or "*Improvements*" as defined in Section 5709.73(A) of the Ohio Revised Code) is hereby declared to be a public purpose and the Improvements shall be exempt from taxation for a period commencing with the first tax year that begins after the effective date of this Resolution and in which an Improvement attributable to the Parcels first appears on the tax list and duplicate of real and public utility property for the Parcels and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the Township can no longer require service payments in lieu of taxes for the Improvements, all in accordance with the requirements of the TIF Statutes.

SECTION 6. Service Payments and Property Tax Rollback Payments. Pursuant to Section 5709.74 of the Ohio Revised Code, this Board hereby directs and requires the Owner of the Parcels to make annual Service Payments (as defined herein) in lieu of taxes with respect to the Improvements allocable thereto to the Treasurer of Hamilton County, Ohio (the "*County Treasurer*"), on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code (collectively, the "*Service Payments*"), shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 1 of this Resolution. The Service Payments, and any other payments with respect to the Improvements that are received by the County Treasurer in connection with the reduction required

by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), shall be allocated and distributed in accordance with Section 4 of this Resolution.

SECTION 7. Tax Increment Equivalent Fund. Pursuant to Section 5709.73 of the Ohio Revised Code, this Board hereby establishes, pursuant to and in accordance with the provisions of Section 5709.75 of the Ohio Revised Code, the Stonegate TIF Area Public Improvement Tax Increment Equivalent Fund (the "*Fund*"). The Fund shall be maintained in the custody of the Township and shall receive all distributions to be made to the Township pursuant to Section 4 of this Resolution. Those Service Payments and Property Tax Rollback Payments received by the Township with respect to the Improvements to the Parcels and so deposited pursuant to Section 5709.74 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes or this Resolution. The Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved and any surplus funds remaining therein transferred to the Township's General Fund, all in accordance with Section 5709.75 of the Ohio Revised Code.

SECTION 8. Distribution of Funds. The County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments to the Township. The Township will then pay to the School Districts their respective portions of the Service Payments as provided herein.

SECTION 9. Public Infrastructure Improvements. This Board hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by resolution of this Board as public infrastructure improvements, as public infrastructure improvements made, to be made or in the process of being made by the Township that are necessary for the development of and directly benefit, or that once made will directly benefit, the Parcels.

SECTION 10. Revenue Sharing Agreement. The form of the Revenue Sharing Agreement presently on file with the Fiscal Officer of this Board is hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to the Township and which shall be approved by the Township Administrator. The Township Administrator, for and in the name of the Township, is hereby authorized to execute the Revenue Sharing Agreement in substantially that form together with any amendments thereto, provided that the approval of changes and amendments thereto by the Township Administrator, and the character of those changes and amendments as not being substantially adverse to the Township, shall be evidenced conclusively by the execution of the Revenue Sharing Agreement and any amendments by the Township Administrator.

SECTION 11. Revenue Sharing. This Board hereby determines that allocable shares of the Service Payments that the FHLSD and the JVSD, respectively, would have received from the Improvements if the Improvements were not exempt from taxation, shall be paid by the Township to the FHLSD and the JVSD on an annual basis.

SECTION 12. Further Authorizations. This Board hereby authorizes and directs the Township Administrator or other appropriate officers of the Township to make such arrangements as are necessary and proper for collection of the Service Payments from the Owner, including the preparation and filing of any necessary exemption application(s). This Board further hereby authorizes and directs the Township Administrator or other appropriate officers of the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Resolution.

SECTION 13. Filings with Ohio Department of Development. Pursuant to Section 5709.73(I) of the Ohio Revised Code, the Township Administrator, or other appropriate officer of the Township, is hereby directed to deliver a copy of this Resolution to the Director of Development of the State of Ohio within fifteen (15) days after its effective date. Further, on or before March 31 of each year that the Exemption set forth in Section 1 of this Resolution remains in effect, the Township Administrator or other authorized officer of the Township shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.73(I) of the Ohio Revised Code.

SECTION 14. Preambles. The preambles shall be and shall be construed to be integral parts of this Resolution.

SECTION 15. Open Meetings. 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 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.

SECTION 16. 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.

Resolution Authorizing the Disposition of Real Property Described Herein Pursuant to the Anderson Center Station Redevelopment Agreement and Approving and Authorizing the Execution of Said Agreement –

Resolution 19-1219-07: Mrs. Stone moved to adopt a resolution authorizing the disposition of real property described herein pursuant to Section 505.10(A)(6) of the Revised Code pursuant to The Anderson Center Station redevelopment agreement and approving and authorizing the execution of said agreement as follows; Mr. Pappas seconded the motion:

RESOLUTION No. 19-1219 - 07

December 19, 2019

A RESOLUTION AUTHORIZING THE DISPOSITION OF REAL PROPERTY DESCRIBED HEREIN PURSUANT TO SECTION 505.10(A)(6) OF THE REVISED CODE PURSUANT TO THE ANDERSON CENTER STATION REDEVELOPMENT AGREEMENT AND APPROVING AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT.

WHEREAS, Section 505.10(A)(6) of the Revised Code provides that when a township has title to real property and the board of township trustees wishes to sell or otherwise transfer the property, the board, upon unanimous vote of its members and by resolution, may authorize the transfer and conveyance of that real property in compliance with said section to any person upon whatever terms are agreed to by the board and that person; and

WHEREAS, this Board undertook a process in 2016 whereby the Anderson Township Comprehensive Plan previously adopted by the Board of Township Trustees of the Township has been updated (the "Plan Update"); and

WHEREAS, the Plan Update involved (i) constituent representative participation, including, among others, representatives from the business community, local realtors, the Forest Hills Local School District, the Anderson Park District, and the Anderson Area Chamber of Commerce, and (ii) multiple opportunities for public input at public meetings; and

WHEREAS, the Plan Update as adopted by this Board (i) drew upon public comment that, among other things, the Township offered limited housing options for single people, young couples without children or empty nesters looking for fewer maintenance needs and better access to shopping, mass transportation and public services, and (ii) substantiated the need to provide a variety of housing options to meet changing demographics and market demands in the Township; and

WHEREAS, the Plan Update provided that the Township would encourage economic development of a variety of housing options that include open spaces, sidewalks, trails, and other neighborhood scale amenities to attract and retain a diverse population; would encourage development of a variety of housing styles and densities in appropriate areas of the Township; and would incorporate residential uses within the Beechmont corridor to provide the critical mass of population needed to support local and regional businesses in the Township; and

WHEREAS, the Township owns approximately 5.6 acres of real property on which Anderson Center Station and 196 parking spaces are located (the "Property"), which is adjacent to Anderson Center; and

WHEREAS, the Board undertook a Request For Proposals process with respect to the redevelopment of a significant portion of the Property, the exact boundaries of which portion to be redeveloped will be determined by a Survey to be undertaken (the "Project Site"), thoroughly evaluated the proposals submitted by developers and selected the Proposal for Anderson Center Redevelopment dated April 3, 2018 (the "Proposal") submitted by Hills Properties; and

WHEREAS, HP Acquisitions, LLC, an Ohio limited liability company (“HP”), proposes to redevelop the Project Site into (i) a mixed-use multi-family rental community with approximately 200 homes and related private garage parking for young professionals and empty-nesters (the “Private Improvements”), and (ii) a new public parking facility comprising a new Anderson Center Station with (a) a minimum of 125 parking spaces and (b) a climate-controlled waiting area with restrooms for METRO/SORTA/Township use, on the terms and conditions provided therein (collectively, the “Public Improvements” and together with the Private Improvements, the “Project”) and the Project is estimated to cost approximately \$40,000,000; and

WHEREAS, HP would also construct certain additional Bus Transit Improvements on the western border of the Project Site on Township property; and

WHEREAS, this Board hereby determines that the Proposal meets the needs of the Township addressed in the Plan Update and that it is in the best interests of the Township and its residents to convey the Project Site to HP pursuant to the terms of the Anderson Center Station Redevelopment Agreement, by and between the Township and HP Acquisitions, LLC as presented to this Board (the “Agreement”);

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township and its residents to authorize the disposition of the Project Site to HP Acquisitions, LLC, on the terms and conditions set forth in the Agreement, the form of which Agreement is hereby approved. Further, this Board authorizes the Township Administrator to execute the Agreement on its behalf and on behalf of the Township.

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.

PLANNING & ZONING

Proclamation in Recognition of the 2019 WeTHRIVE! Communities –**Mr. Drury** stated that Hamilton County Public Health’s WeTHRIVE! Initiative created partnerships between communities, agencies and Public Health to generate broad-based support for creating healthy environments for all residents where they live, learn and work. The Township was recognized for meeting all the requirements for the 2019 WeTHRIVE! Initiative.

SHERIFF’S OFFICE

Liquor License Request for Salem Shell, Inc. dba Shell Express –

Resolution 19-1219-05: Mr. Pappas moved not to object to a new liquor license request for Salem Shell, Inc. dba Shell Express located at 6685 Salem Road. Mrs. Stone 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

Request to Bid 2020 Curb and Sidewalk Program –

Resolution 19-1219-08: Mrs. Stone moved to authorize bid preparation and advertisement for the 2020 Curb and Sidewalk Program. Mr. Pappas seconded the motion.

There was no further discussion.

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

FIRE & RESCUE

Chief Martin had nothing requiring Board action.

ADMINISTRATION

Request to Enter into Agreement with Smith-Packet dba Cincinnati AL Investors, LLC –

Resolution 19-1219-09: Mr. Pappas moved to authorize the Township Administrator to enter into an agreement, subject to review by the Law Director, with Smith-Packet (dba Cincinnati AL Investors, LLC), to provide a right of entry on Township owned land on Clough Pike (parcel 500-360-4), to construct a bypass flood basin for Clough Creek, and to dedicate right of way and/or provide an access easement on this same property to facilitate the construction of a right turn deceleration lane into the Cincinnati AL Investors site, both

projects are anticipated to have safety benefits for Township property owners. Mrs. Stone seconded the motion.

There was no further discussion.

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

Resolution Authorizing Property Transfer Agreement with Shan Bhati and Amar Bhati and Accepting Donation of Real Property –

Resolution 19-1219-10: Mrs. Stone moved to adopt a resolution authorizing property transfer agreement with Shan Bhati and Amar Bhati, successor co-trustees of the Shabnam Bhati Revocable Trust Dated January 27, 1997, as amended, and accepting donation of real property and interests therein to the Township by said Trust, pursuant to the authority of Section 505.10 of the Revised Code as follows; Mr. Pappas seconded the motion:

RESOLUTION NO. 19-1219-10

RESOLUTION AUTHORIZING PROPERTY TRANSFER AGREEMENT WITH SHAN BHATI AND AMAR BHATI, SUCCESSOR CO-TRUSTEES OF THE SHABNAM BHATI REVOCABLE TRUST DATED JANUARY 27, 1997, AS AMENDED, AND ACCEPTING DONATION OF REAL PROPERTY AND INTERESTS THEREIN TO THE TOWNSHIP BY SAID TRUST, PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE

WHEREAS, Section 505.10(A) of the Revised Code (the “Statute”) provides that a board of township trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use; and

WHEREAS, Shan Bhati and Amar Bhati are Successor Co-Trustees (the “Successor Co-Trustees”) of The Shabnam Bhati Revocable Trust dated January 27, 1997, as amended in its entirety on November 23, 2005, as amended July 28, 2011, and as the same may be further amended (the “Trust”); and

WHEREAS, the Trust is the fee owner of certain real property identified as Auditor’s Parcel No. 500-0211-0198-00, which is located in the Township and described in Exhibit A hereto (the “Property”); and

WHEREAS, the Successor Co-Trustees wish to donate the Property on behalf of the Trust to the Township on the terms and subject to the conditions of a Property Transfer Agreement substantially in the form of the Property Transfer Agreement (the “Property Transfer Agreement”) attached hereto as Exhibit A hereto, and by this reference incorporated herein; and

WHEREAS, this Board desires to accept the donation of the Property substantially on the terms and subject to the conditions proposed in the Property Transfer Agreement and to hold the Property for use as open space;

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
December 19, 2019*

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. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from the Successor Co-Trustees on behalf of the Trust pursuant this Board's authority contained in the Statute and pursuant to the terms and subject to the conditions of the Property Transfer Agreement.

SECTION 2. This Board approves the form of the Property Transfer Agreement before this Board and authorizes and directs the Township Administrator to execute and deliver the Property Transfer Agreement in substantially the form before this Board, with such revisions thereto as she deems, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Agreement. This Board hereby authorizes performance of the Property Transfer Agreement and covenants to perform its obligations pursuant thereto.

SECTION 3. This Board hereby accepts the donation of the Property from Shan Bhati and Amar Bhati, Successor Co-Trustees of The Shabnam Bhati Revocable Trust dated January 27, 1997, as amended in its entirety on November 23, 2005, as amended July 28, 2011, and as the same may be further amended, pursuant this Board's authority contained in the Statute and on the terms and subject to the conditions of the Property Transfer Agreement and hereby expresses its appreciation to Shan Bhati and Amar Bhati, Successor Co-Trustees for making the generous donation on behalf of the Trust to the Township.

SECTION 4. This Board hereby authorizes Township staff to undertake due diligence with respect to the Property, including obtaining a title report, a survey and, if deemed necessary and appropriate by the Township Administrator, an environmental study, and hereby appropriates \$7,000 for the purpose of paying the costs of undertaking such due diligence with respect to the Property.

SECTION 5. Upon conveyance of the Property to this Board, on behalf of the Township, the Property shall be held and utilized by the Township as open space under the Township's open space program.

SECTION 6. 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.

2020 Citizen Committee Appointments –

Resolution 19-1219-11: Mrs. Stone made a motion to appoint Jeff Nye to a five year term on the Anderson Township Board of Zoning Appeals, to expire December 31, 2024; Paul Sheckels to an unexpired “open” term on the Anderson Township Board of Zoning Appeals, to expire December 31, 2022; and Earl Corell as the 1st Alternate and Scott Lawrence as the 2nd Alternate to the Anderson Township Board of Zoning Appeals for 2020. Mr. Pappas seconded the motion.

There was no further discussion.

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

Resolution 19-1219-12: Mrs. Stone made a motion to appoint Brian Elliff to a five year term on the Anderson Township Zoning Commission, to expire December 31, 2024; Ben Henson to an unexpired “open” term on the Anderson Township Zoning Commission, to expire December 31, 2020; and appoint Michael Doenges as the 1st Alternate and Chuck Denning as the 2nd Alternate to the Anderson Township Zoning Commission for 2020. Mr. Pappas seconded the motion.

There was no further discussion.

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

Resolution 19-1219-13: Mrs. Stone made a motion to appoint:

**Katie Buchmann, Chair
Jeni Berreth
Samantha Cook
Beth Davis
Stephen Feagins
Austin Greiwe
Paige Jansen
Pinky Kocoshis
Ken Kushner
Lexi Lausten
Julie Martina
Sarah McManaway
Mary Nicholson
Jenny Sarver
Karen Schwamberger
Trenny Selfridge
Sonia Shively
Karl Sieber
Marcus Thompson
Kathleen Wagoner**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

December 19, 2019

**Susan Wheatley
Joseph Wicker
Gary Yuratovac
Dee Stone, Trustee Representative**

as members of the Anderson Township WeTHRIVE! Anderson Committee for 2020; and

**Ronald Edgerton, Chair
Paul Braasch
Russ Romme
Rick Voss
Ken Dietz, Fiscal Officer
Josh Gerth, Trustee Representative**

as members of the Anderson Township Greenspace Advisory Committee for 2020; and

**Trenny Selfridge, Chair
Thomas Browning
John Cissell
Adrienne Eastlake
Dick Erbacher
Stephen Feagins
Peg Fenner
Brian Gay
Dave Habegger
Joe Hice
Pinky Kocoshis
Ken Kushner
Jay Lewis
Mike Niehaus
Richard Porter
Karen Schwamberger
Paul Sheckels
Paul Sian
Karl Sieber
Ken Vincent
Kurt Wells
Brandon Woodard
Andrew Pappas, Trustee Representative**

**as members of the Anderson Township Transportation Advisory Committee
for 2020; and**

**Bruce Berno, Chair
Lori Beer
Scott Beuerlein
Sandra Coleman**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

December 19, 2019

**Josh Eastlake
John Halpin
Patty Good
Jim Hansel
Carol King
Tim Kloppenborg
Tom Prues
Jim Rombke
Sonia Shively
Jason Stockslager
Rick Voss
Bill Wais
Joe Willging
Andrew Pappas, Trustee Representative**

as members of the Anderson Township Tree Committee for 2020; and

**Paul Kitzmiller, Chair
Bill Abramovitz
Elizabeth Barber
Julie Bissinger
Amy Broghamer
Chris Corrado
Jeff Cowan
Matt Davie
John Deeds
Joe Dold
Stephen Feagins
John Halpin
Nicole Hunter
Philip Kiley
Mark Malinowski
Eric Miller
Scott Miller
Donald Nickerson
Brad Nixa
Zach Peterson
Scot Prebles
Amy Richardson
Jeff Rosa
Ian Smith
Josh Gerth, Trustee Representative**

**as members of the Anderson Township Economic Development Committee
for 2020; and**

Katie Buchman

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
December 19, 2019

**Ron Edgerton
Clyde Dial
Karl Steinmanis
Dee Stone, Trustee Representative**

as members of the Greater Anderson Township Betterment Commission for 2020; and

**Abbe Lackmeyer, Chair
Kelsey Bihlman
Sherry Burnside
Marcia Cole
Christine Corcoran
Clyde Dial
Michelle LaPresto
Steven Long
Al Norwood
Susan Ward
Dee Stone, Trustee Representative**

as members of the Anderson Township Senior Center Advisory Committee for 2020.

Mr. Pappas seconded the motion.

There was no further discussion.

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

Anderson Park Commissioner Appointment –

Resolution 19-1219-14: Mrs. Stone made a motion to appoint Julie Bissinger to an unexpired “open” term on the Anderson Township Park Board of Commissioners, to expire May 1, 2020. Mr. Pappas seconded the motion.

There was no further discussion.

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

2020 Ethics Panel Appointments –

Resolution 19-1219-15: Mr. Pappas moved to appoint Betty Cowan (Administration) and Kyle Stone (Fire and Rescue) to the Anderson Township Ethics Panel for two-year terms beginning January 1, 2020, and ending December 31, 2021; the Board further recognizes that Eric Luginbuhl (Public Works), Jim Lewis (Planning & Zoning), and Debbie Hucker (Fiscal Office) will continue their terms of service on the Anderson Township Ethics Panel until December 31, 2020. Mrs. Stone seconded the motion.

There was no further discussion.

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

LHR Resolution Appointing Margaret W. Comey and Locke Lord LLP as Law Director for 2020 –

Resolution 19-1219-16: Mrs. Stone moved to adopt a Limited Home Rule Resolution appointing Margaret W. Comey and Locke Lord LLP as Law Director for a term ending December 31, 2020, and declaring an emergency as follows; Mrs. Pappas seconded the motion:

Post 12/20/2019
For fifteen days

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

M____. _____ moved that as to the following resolution, the rule requiring that it be read on two separate days be dispensed with. M____. _____ seconded the motion, and the roll being called upon the question, the vote resulted as follows:

M____. _____ introduced the foregoing resolution and moved its passage. M____. _____ seconded the motion.

RESOLUTION NO. 19-1219-

**LIMITED HOME RULE RESOLUTION
APPOINTING MARGARET W. COMEY AND LOCKE LORD LLP AS LAW
DIRECTOR FOR A TERM ENDING DECEMBER 31, 2020, AND DECLARING AN
EMERGENCY**

WHEREAS, by virtue of adoption of Resolution No. 03-0918-18, effective October 19, 2003, this Board of Township Trustees adopted a home rule form of government for Anderson Township, County of Hamilton, Ohio ("Township"); and

WHEREAS, under Chapter 504 of the Revised Code, limited home rule townships are required to appoint a Law Director; and

WHEREAS, Margaret W. Comey, Esq., is qualified by education, expertise and reputation to act as Anderson Township's Law Director, and has represented to this Board that she and the

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
December 19, 2019*

law firm of Locke Lord LLP are content to be contractually bound by the terms of this resolution to provide Law Director services to the Township; and

WHEREAS, Margaret W. Comey has served the Township as Interim Law Director and, since March 31, 2008, as Law Director;

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

SECTION 1. This resolution is passed in the exercise of this Board's limited home rule powers under Chapter 504 of the Revised Code.

SECTION 2. Margaret W. Comey, Esq., of Hamilton County, Ohio, and Senior Counsel at the law firm of Locke Lord ("LL"), is hereby appointed as the part-time Law Director of Anderson Township ("Law Director"), together with LL, for a term ending on December 31, 2020, and otherwise upon the terms and conditions set forth in Schedule A hereto, which Schedule A is by this reference incorporated herein. The Township Administrator is hereby authorized to execute, if required by LL, an engagement letter with LL that reflects the terms of Schedule A.

SECTION 3. Upon majority vote, the Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to Section 504.10 of the Revised Code, and authorizes the passage of this resolution upon its first reading.

SECTION 4. If passed by a unanimous vote, pursuant to Section 504.11(B) of the Revised Code, this resolution shall take effect immediately, and shall be posted for fifteen days in five of the most public places in the Township, as previously determined by this Board, which posting is hereby ordered.

SECTION 5. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

SECTION 6. 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.

SECTION 7. This resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Township, and for the further reason that this Board wishes to continue to retain her services and those of LL to provide Law Director services to the Township pursuant to appointment under Chapter 504 of the Revised Code, particularly Section 504.15 thereof, for the calendar the year 2020.

SCHEDULE A

**TERMS AND CONDITIONS OF APPOINTMENT
OF MARGARET W. COMEY, ESQ., AND LL TO PROVIDE LAW
DIRECTOR SERVICES FOR ANDERSON TOWNSHIP,
HAMILTON COUNTY, OHIO**

1. The Law Director shall faithfully perform her/its duties under Section 504.15 of the Revised Code, and as otherwise permitted or required under the Revised Code, the rules of the Supreme Court of Ohio, and applicable common law.
2. The Law Director may be discharged at any time, without notice or hearing, and for any reason or no reason, by a majority of the Board.
3. The Law Director shall be compensated at the rate of \$280.00 per hour worked on behalf of the Township in conjunction with requests from the Board of Township Trustees or its authorized staff and/or in fulfillment of her appointment. The Law Director's fees shall be billed by the law firm of LL, which firm shall be reimbursed for out of pocket expenses and office charges, including reimbursement for xerographic and laser printed copies and facsimile transmissions, at the firm's prevailing rates, and for such other or extraordinary expenses as may be approved by the Township Administrator, in accordance with Anderson Township's applicable rules. The Law Director shall be entitled to bill Anderson Township for paralegal and/or research assistant services, at rates of less than \$280 per hour, if she deems such services more cost-effective for the Board than performance of the duties described in paragraph 1 hereof.

The roll being called by the Fiscal Officer upon the question of passage of the resolution, the vote resulted as follows:

Mr. Gerth _____ Mrs. Stone _____ Mr. Pappas _____

Passed at the regular meeting of the Board of Township Trustees this 19th day of December, 2019.

There was no further discussion.

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

FISCAL OFFICER CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 19th day of December, 2019, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

December 19, 2019

The undersigned, hereby further certifies that the moneys required to meet the obligations of the Township during the fiscal year 2019 and fiscal year 2020 under the attached contract or order (or, if this is a continuing contract, to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made) have been lawfully appropriated by the Board of Township Trustees of the Township for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: December 19, 2019

Kenneth G. Dietz
Fiscal Officer

CERTIFICATE OF POSTING

I, Kenneth G. Dietz, Fiscal Officer of Anderson Township, Hamilton County, Ohio, do hereby certify that in accordance with Section 731.25 of the Revised Code, the attached Resolution was posted in accordance with its terms, beginning on December 20, 2019.

This ___ day of January, 2020.

Kenneth G. Dietz
Fiscal Officer

Items Arising from Executive Session –

2020 Organizational Meeting –

Mr. Gerth asked Mr. Dietz to serve as temporary Chair.

Resolution 19-1219-17: Mr. Pappas moved that Mr. Gerth be appointed Chair of the Board of Township Trustees for fiscal year 2020. Mrs. Stone seconded the motion.

There was no further discussion.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES
December 19, 2019

Resolution 19-1219-18: Mr. Pappas moved that Mrs. Stone be appointed Vice Chair of the Board of Township Trustees for fiscal year 2020. Mrs. Stone seconded the motion.

There was no further discussion.

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

Mr. Dietz to return Chair to Officiating Trustee.

Resolution 19-1219-19: Mrs. Stone moved that the regular meetings of this Board in January through December 2020 be held on the third Thursday of each month at 5:30 p.m., beginning with Executive Session, with the public portion of the meetings commencing at 6:00 p.m., and that regular interim workshop meetings of this Board be held on the first Thursday of each month at 2:00 p.m., both unless notice indicating otherwise is duly given. Be it further resolved that the practice and procedure of adopting the agenda (including the rules pertaining to public forum) at each regular meeting of this Board shall continue to be the practice and procedure at meetings in 2020. Mr. Pappas seconded the motion.

There was no further discussion.

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

Resolution 19-1219-20: Mr. Pappas moved to adopt the Temporary Appropriations for fiscal year 2020 as presented by Mr. Dietz, as follows; Mrs. Stone seconded the motion:

TEMPORARY 2020 APPROPRIATIONS

General Fund	\$4,119,400
Motor Vehicle License Tax Fund	45,800
Gasoline Tax Fund	254,000
Road and Bridge Fund	1,931,900
Lighting Districts Fund	367,330
Police Fund	4,961,800
Fire Department Fund	11,793,800
Planning & Zoning Fund	931,600
Public Improvement Tax Increment Equivalent Fund (1994)	15,988,000
General Bond Retirement Fund	2,935,000
Greenspace Levy Fund	300,000
Permissive Motor Vehicle License Fund	320,000
Permanent Improvement	696,051
TIF 2010 (ATP)	-0-
TIF Northern Anderson Area	-0-
TIF Ohio Riverfront Area I	2,300,000
TIF Ohio Riverfront Area II	102,000
TOTAL TEMPORARY APPROPRIATIONS	\$47,046,681
Other – Recycling (including in General Fund)	75,000

There was no further discussion.

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

Resolution 19-1219-21: Mr. Pappas moved that (a) the Auditor and Treasurer of Hamilton County, in accordance with R.C. §321.34, be requested to draw and pay to Anderson Township, during fiscal year 2020, upon the written request to the County Auditor by Kenneth G. Dietz, Fiscal Officer, funds due in any settlement of 2019 derived from taxes or other sources payable by law to the County Treasurer and held in the County treasury to the account of Anderson Township, and lawfully applicable for the purposes for fiscal year 2020, and (b) the Fiscal Officer is requested under R.C. §321.342 to seek periodic advances of taxes to be drawn on the undivided estate tax fund, and (c) the Fiscal Officer shall forward to the County Auditor a certified copy of this resolution. Mrs. Stone seconded the motion.

There was no further discussion.

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

Resolution 19-1219-22: Mrs. Stone moved to appoint Betty Cowan, Molly Mohrfield, Lisa Farrar, and Nancy Downs as the designees who shall attend the Sunshine Law Certification Training provided by the Office of the Ohio Attorney General, and as required by Section 149.43(E)(1) of the Revised Code, on behalf of Trustees Joshua S. Gerth, Andrew S. Pappas, and Robin D. Stone, and Fiscal Officer Kenneth G. Dietz, respectively. 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 19-1219-23: Mr. Pappas moved to adopt a resolution and order employing William J. Patterson, Thomas B. Allen, Scott R. Brown, Jeffrey S. Shoskin, Benjamin J. Yoder, Kathleen F. Ryan and Gary E. Powell, as Township Attorneys for particular matters for fiscal year 2020 as follows; Mrs. Stone seconded the motion:

RESOLUTION AND ORDER NO. 19 – 1219 – 23

**RESOLUTION AND ORDER EMPLOYING
WILLIAM J. PATTERSON, THOMAS B. ALLEN, SCOTT R. BROWN, JEFFREY S.
SHOSKIN, BENJAMIN J. YODER, KATHLEEN F. RYAN AND GARY E. POWELL, AS
TOWNSHIP'S ATTORNEYS FOR PARTICULAR MATTERS FOR FISCAL YEAR
2020.**

WHEREAS, this Board of Township Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ an attorney other than the prosecuting attorney for

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

December 19, 2019

particular matters to represent the Township and its officers in their official capacities and to advise them on legal matters; and

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

Now therefore, BE IT RESOLVED AND ORDERED BY THE BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO ("Township"), as follows:

SECTION 1. William J. Patterson, Esq., of the law firm of Stagnaro, Saba & Patterson Co. LPA, is hereby employed as the Township's attorney for fiscal year 2020 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule A, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$225.00 per hour effective January 1, 2020.

SECTION 2. Scott R. Brown, Esq., Jeffrey S. Shoskin, Esq., and Benjamin J. Yoder, Esq., of Frost Brown Todd LLC are hereby employed as the Township's attorneys for the fiscal year 2020 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule B-1, attached hereto and incorporated herein. Said attorney's compensation shall be at the blended rate of \$305 per hour effective January 1, 2020.

SECTION 3. Thomas B. Allen, Esq., of Frost Brown Todd LLC is hereby employed as the Township's attorney for fiscal year 2020 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule B-2, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$315 per hour effective January 1, 2020.

SECTION 4. Gary E. Powell, Esq., is hereby employed as the Township's attorney for fiscal year 2020 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule C, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$150 per hour effective January 1, 2020.

SECTION 5. Kathleen F. Ryan, Esq., and the law firm of Manley Burke LPA are hereby employed as the Township's attorney for fiscal year 2020 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule C, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$150 per hour effective January 1, 2020.

SECTION 6. Each attorney employed hereby shall be reimbursed for out-of-pocket expenses reasonably incurred in connection with the representation and provision of legal services described in this Resolution and Order.

SECTION 7. Each attorney employed hereby may be discharged at any time by majority vote of the Board and may resign his employment upon thirty (30) days' written notice to this Board; in the event of such resignation, the attorney shall make arrangements satisfactory to the Township Administrator for transfer of files related to his work for the Board (at the expense of the Board) to the Township Administrator and/or to the Township's Law Director, as the Township Administrator shall specify.

SECTION 8. The Law Director shall notify the attorneys employed hereby of the passage of this Resolution and Order.

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

SECTION 10. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution and Order were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were 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.

SCHEDULE A

Real estate title reports and other real estate matters

SCHEDULE B-1

Insurance law, particular zoning law violation matters and related matters

SCHEDULE B-2

Labor and employment law and related matters

SCHEDULE C

- (1) Zoning matters including zoning violations and other matters pertaining to the Zoning Commission and Board of Zoning Appeals, and related committees
- (2) Litigation, unless and to the extent that the Prosecuting Attorney or other counsel employed by the Board, or by an insurer, represents the Board, the Township, and/or Township officers
- (3) Assist staff with the issuance of property maintenance code violations and citations, as well as represent the Township on appeals or legal proceedings relating to the Code's administration
- (4) Other matters as may from time to time be requested by the Board, the Township Administrator, or by the Township's Law Director

There was no further discussion.

December 19, 2019

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

FISCAL OFFICER'S CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 19th day of December, 2019, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

The undersigned further hereby certifies that the moneys required to meet the obligations under the attached Resolution and Order during the remainder of fiscal year 2019 and during fiscal year 2020 have been lawfully appropriated by the Board of Township Trustees for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances, and is not appropriated for any other purpose. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

This 19th day of December, 2019.

Kenneth G. Dietz
Fiscal Officer

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of _____, 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 19th day of December 2019, and that said minutes have been duly entered upon the Journal of said Township.

This _____ day of _____, 2019.

Kenneth G. Dietz
Fiscal Officer

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

FISCAL OFFICER'S CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 19th day of December, 2019, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

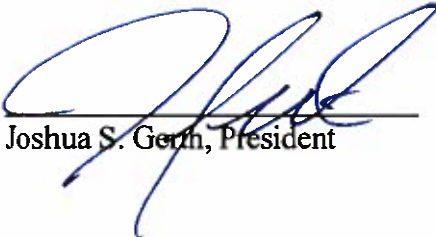
The undersigned further hereby certifies that the moneys required to meet the obligations under the attached Resolution and Order during the remainder of fiscal year 2019 and during fiscal year 2020 have been lawfully appropriated by the Board of Township Trustees for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances, and is not appropriated for any other purpose. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

This 19th day of December, 2019.

Kenneth G. Dietz
Fiscal Officer

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of February 27, 2020.



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 19th day of December 2019, and that said minutes have been duly entered upon the Journal of said Township.

This 27th day of February, 2020.



Kenneth G. Dietz
Fiscal Officer