

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on May 7, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the May 7, 2020, meeting of the Anderson Township Board of Trustees. She stated that due to the declared state of emergency in the nation, in Ohio and in the Township, and the Order of the Director of the Ohio Department of Health issued March 12, 2020, in response to the COVID-19 emergency, the meeting was being convened telephonically with video option. The agenda for the meeting was available on the Township's website. At each of the Board meetings attendees were encouraged to complete a sign-in sheet which included name and address. She encouraged participants to electronically sign-in by sending an email to Molly Mohrfield at [mmohrfield@andersontownship.org](mailto:mmohrfield@andersontownship.org). She identified the elected officials that were present which included Trustee Chair Josh Gerth, Trustee Vice Chair Dee Stone, Trustee Andrew Pappas and Fiscal Officer Ken Dietz. Other personnel were joining in the meeting via telephone or video including Assistant Administrator for Human Resources Suzanne Parker, Assistant Administrator for Operations Steve Sievers, Law Director Margaret Comey, Planning and Zoning Director Paul Drury, Hamilton County Sheriff's Dan McElroy, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl and Administrative Assistant Molly Mohrfield, who was recording the meeting and preparing minutes. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

**Mr. Gerth** called the meeting to order.

**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; Mrs. Stone, yes; Mr. Pappas, yes.**

#### TRUSTEE COMMENTS

**Mr. Pappas** pointed out that many people were going through a considerable amount of adjustments and adversities with regards to the COVID-19 shutdown. He had received several messages from people needing some sense of direction from the Governor. Therefore, a resolution had been drafted stating that the Township supported the Governor, the State of Ohio and the Director of the Department of Health, and their efforts to accelerate the opening of Ohio businesses in the most expeditious manner possible. This action was prompted by observing other states that had firm dates for opening. He felt that many residents were facing uncertainty and passing this resolution would show residents that the Township supports any and all efforts to safely and judiciously expedite the opening of businesses. **Mr. Stone** stated that she was supportive of the resolution, as written, though she did not think it was necessary. **Mr. Gerth** stated that the resolution was supportive of the Governor's efforts and demonstrated the

Township's support to small businesses trying to open as soon as possible. **Mrs. Stone** stated that she did not want the resolution to be interpreted as the Township was open for business. She pointed out the figures indicated that Ohio had not peaked with the COVID-19 virus and she wanted everyone to remain cautious. **Mr. Gerth** pointed out that it was only a resolution of support.

**Resolution 20-0507-01: Mr. Pappas moved to adopt a resolution supporting the Governor of the State of Ohio and the Director of the Ohio Department of Health's efforts to accelerate the opening of Ohio Businesses in the safest and most expeditious manner possible as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0507 – 01**

**RESOLUTION SUPPORTING THE GOVERNOR OF THE STATE OF OHIO  
AND THE DIRECTOR OF THE OHIO DEPARTMENT OF HEALTH'S  
EFFORTS TO ACCELERATE THE OPENING OF OHIO BUSINESSES IN THE  
SAFEST AND MOST EXPEDITIOUS MANNER POSSIBLE**

**WHEREAS**, on March 14, 2020, Governor Mike DeWine issued Executive Order 2020-01D, declaring a state of emergency for the entire State to protect the well-being of the citizens of the state of Ohio from the dangerous effects of COVID-19, to justify the authorization of personnel of State departments and agencies as are necessary, to coordinate the State response to COVID-19, and to assist in protecting the lives, safety, and health of the citizens of Ohio; and

**WHEREAS**, since the declaration of a state of emergency, Governor DeWine and Dr. Amy Acton, the Director of the Ohio Department of Health, have implemented substantial restrictions governing private individuals, including limiting public gatherings, instituting a stay at home order, closing all but essential businesses, and other such measures; and

**WHEREAS**, on April 28, 2020, Director Acton issued the Stay Safe Ohio Order which begins to reopen businesses, with exceptions, and which establishes Responsible Protocols for getting Ohio back to work; and

**WHEREAS**, the Anderson Township Board of Township Trustees values and appreciates the leadership and advice of Governor DeWine and Dr. Acton during the COVID-19 crisis and supports their efforts to reopen all businesses in a safe manner; and

**WHEREAS**, in recognition of the hardships faced by the nearly 1 million Ohioans that have filed for unemployment benefits; and

**WHEREAS**, mental and emotional health are components of one's physical health and many Ohioans are negatively impacted due to unemployment resulting from COVID-19, including but not limited to food insecurity, lack of childcare, income, and isolation;

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

**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 supports Governor Mike DeWine and Ohio Department of Health Director Dr. Amy Acton's efforts to accelerate the opening of Ohio businesses, in the safest and most expeditious manner possible.

**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 for all purposes shall be construed to be integral and operative parts of this Resolution.

There was no further discussion.

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

**Mrs. Stone** acknowledged that it was teacher appreciation week. The teachers, staff and Administration in the Forest Hills School were doing a great job during this difficult and challenging time.

**DISCUSSION ITEMS**

Case 2-2020 Anderson – 3464 Mt. Carmel Road Zone Change –

**Resolution 20-0507-02: Mrs. Stone made a motion to set a public hearing for Thursday, May 21, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, OH for the purpose of hearing Case #2-2020 Anderson. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Community Development Block Grant Funding 2021, 2022, 2023 – Mrs. Earhart stated that the Hamilton County Planning and Development Department had sent information regarding the Township's desire to continue participation in the Community Development Block Grant (CDBG) Funding Program during fiscal years 2021 – 2023. The Board need not act unless it wished to opt out of the program. Residents had benefited from CDBG programs such as the installation of handicap ramps, Senior Center improvements, Heritage Center improvements, along with many other community improvements. **Mr. Gerth** asked if there was any reason the

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

Township should not participate. **Mrs. Earhart** responded there was not. Participation also enabled Township residents to continue to receive services through People Working Cooperatively Housing Repair Program and other assistance programs. Therefore, it was staff's recommendation to continue with the program.

Road Levy Discussion – **Mrs. Earhart** stated that 1998 was the last time there was a Road and Bridge Levy in the Township. The 1998 Road and Bridge Levy was facilitated by working with the Legislature to get authorization to use Tax Increment Funding (TIF) dollars for road repairs, and road maintenance. TIF dollars could not be used for the public works salaries and \$100,000 of the Road and Bridge levy funds were committed yearly to the Anderson Trails Program. The purchase of road salt, supplies, and fuel, along with equipment came out of the Road and Bridge levy as well. A decision would need to be made by the end of this month in order for the levy to be placed on November ballot.

**Mr. Dietz** explained that for 2020 the Public Works budget called for \$1,800,000 of expenditures, the expected revenues would just cover the additional expenses. At the end of 2020 the Road and Bridge fund would have a zero balance. An extra \$200,000 could be transferred from the General Fund to cover any shortfalls but the General Fund could not continue to subsidize the Road and Bridge fund. He suggested trying to get the Legislature to allow the use of TIF monies, especially from the 1994 TIF, to cover personnel and other expenditures in the Road and Bridge fund. Another solution would be to look at some of the properties generating a great deal of TIF dollars and consider de-TIFing those, though he did not know if that would be enough to cover the shortfall in the Road and Bridge fund. The other option would be to consider a levy in November. A 1 mill levy would generate an extra \$1,200,000, which would just cover the shortages for the next year. A 1.5 mill levy would generate \$1,800,000, which would provide a bit of cushion. A 2 mill levy would generate \$2,400,000, which would make the fund healthy. There was uncertainty about what percentage of the real estate taxes would be paid due to COVID-19. The Hamilton County Auditor did provide residents an extra month to pay this year which could pose a cash flow problem and create an even greater shortage in the Road and Bridge fund. There were some negatives with the economic climate, and he questioned if a levy would be successful.

**Mr. Gerth** realized that there had not been a Road and Bridge levy in 20 years, which showed great management of that fund, but he opposed a levy. The factors that influenced his decision were the economic climate and the annual Motor Vehicle License (MVL) tax that was under consideration. He asked if the money collected from the MVL tax could help offset some of the shortages in the Public Works Department. He also questioned if Issue 7 did pass, would there be some infrastructure money available to the Township, and if so, what kind of agreement could be struck with Hamilton County whereby some of that funding could be earmarked for problematic roads in the Township. He pointed out that there was a great deal of money sitting in accounts that were restricted by Ohio law. Therefore, he felt discussions were needed with State Representatives asking for the ability to use TIF funds where shortfalls were prevalent. He felt

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

there were a lot of things to consider and believed a Road and Bridge levy was imminent but would like to explore other options before considering placing a levy on the ballot.

**Mrs. Stone** asked what the consequences of de-TIFing were. **Mr. Dietz** replied that he did not believe there was a downside. There would be less properties going into the TIF fund and those monies could be distributed to the different service funds. Currently, the TIF dollars were earning no interest because the Federal Reserve cut interest rates. The Township's depository, where the payroll dollars were housed along with accounts payable monies, was earning very little interest at the present time. **Mrs. Earhart** pointed out that the Legislature had always drawn the line regarding the use of TIF dollars for personnel costs. Therefore, she was not sure how far she would get but felt it was worth the effort. The other thing the Township could be facing was an appeal process from commercial property owners, which could negatively impact revenue as well. The window, if the Board would want to consider a levy this year, was quickly approaching.

**Mr. Gerth** pointed out that at this point no one knows what the financial impacts to were going to be for the Township and based on the financial downfall that could happen over the next 12 months, he felt it would be difficult to determine a millage for a levy at this time. He would like to find another way to fund Public Works at the present because if a levy was needed it was imperative that the correct amount was determined. **Mrs. Earhart** replied that staff would work on finding alternative methods to fund Public Works. **Mrs. Stone** asked Mrs. Earhart her opinion on de-TIFing. **Mrs. Earhart** replied by de-TIFing a property, revenue would be split up among all the different taxing agencies reducing the amount of money that stayed in Anderson. She stated that her preference would be to get the Legislature to allow the use of TIF dollars for personnel costs. She also pointed out that TIF dollars were being used for county roadway improvements, so that may reduce the amount available for capital projects, not only in the township, but county projects as well. She stated that staff would look at all the options and pull together numbers to the best of our ability and present those to the Board at a later date.

Stormwater Proposal – **Mr. Sievers** explained that the Township had been active for the last few years regarding stormwater matters, particularly stormwater detention, site visits, follow ups, educational materials, and some County assistance with regards to basins in need of repair. He learned at the Ohio Township Association (OTA) Conference that Boardman Township had a home rule resolution to regulate the stormwater detention/retention basins by addressing the need for regulations governing the maintenance of stormwater retention/detention systems. The owner of the premises must maintain the stormwater retention/detention systems in compliance with their Home Rule Resolution or face a violation and unclassified civil misdemeanor punishable by a civil fine. He had also spoken with Hamilton County Planning and Development and they were appreciative of the Township efforts and had indicated their willingness to work with us to be the technical experts.

**Mr. Gerth** stated that more oversight normally was met with resistance but there seemed to be an overwhelming number of people concerned about stormwater management. He was open to

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

exploring some type of regulation and appreciated the idea that staff was continuing to educate residents. **Mrs. Stone** agreed stating that there was no point in having stormwater detention/retention if they were not maintained and being able to manage that would be helpful. **Mr. Pappas** asked how many stormwater detention/retention ponds were in the Township currently. **Mr. Sievers** responded over 125 and of those at least 10 needed immediate repair. Hamilton County has followed up on those and notified owners. There was approximately another 10 that need attention, as well, some of those had been addressed, some had not. The Township had never been heavy-handed in its enforcement, as across the board with issues staff had tried to work with and educate owners and that would continue long before any action should be considered. Should staff not be able to get the desired outcome this action would ultimately help with enforcement. He pointed out that staff would continue its education with those entities that have such facilities and let them know what was being considered so they could be involved in that dialogue.

May Event Update and Request for Guidance on July 4<sup>th</sup> Parade – **Mrs. Earhart** explained that with a ban on large gatherings the Veterans Memorial Committee had made the decision to cancel the live event this year and record different aspects of the event in advance of Memorial Day with the help of American Legion Post 318. It would then be available for viewing on the Township's YouTube channel. She pointed out that planning for the July 4<sup>th</sup> parade was rapidly approaching and requested Board guidance on how to proceed. **Mrs. Stone** stated that her concern was how social distancing would be enforced. **Mr. Pappas** added that the Governor stated that social distancing was mandatory. It would seem irresponsible to encourage people to gather in close proximity. Therefore, he would like to err on the side of caution and proceed with canceling. **Mr. Gerth** agreed. **Mr. Sievers** stated he would announce the cancellation in the upcoming Anderson Insights and staff would look at creative ways to celebrate the July 4<sup>th</sup> in a safe manner for everyone involved.

COVID-19 Update – **Mrs. Earhart** stated there would be one person from each department in the office during our normal business hours. There was occasional walk-in traffic although it was much slower than it used to be. People were being encouraged to call or send an email, which seemed to be working well. All staff were wearing masks when they were in areas outside of their specific office. The individuals that were working from home were being just as productive as if they were in the office. Desk phones were being transferred to cell phones, so staff was continuing to respond to questions. The event staff was working on contacting renters for the month of May after the Governor's stay at home order was extended. Staff had reached out to all renters and cancelled events and were reimbursing everyone. Some events were able to be rescheduled for the fall, but the Township was losing \$10,000 to \$12,000 a month in rentals. The hours at Anderson Center had continued to be reduced and CoWorks tenants had been given incremental breaks on their rent. Hamilton County had requested the Township complete a survey, outlining expenditures and how the COVID-19 crisis had impacted the community. To date, approximately \$52,000 had been spent on supplies, personal protective equipment, technology to assist employees to work from home, and additional disinfecting services at fire

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

stations and Anderson Center. Also, approximately \$60,000 had been spent in overtime costs for fire and rescue personnel. Staff was continuing to track all expenditures for potential reimbursement. The survey also asked about community needs related to the health and/or economic consequences of the pandemic. There was a need for ongoing services for senior citizens to ensure they receive meals on wheels, transportation to and from medical appointments, and to the grocery store. Also needed was support for small businesses in the form of loans or grants and additional mental health services for the community. When a vaccine was developed the Township would be a point of dispensing and would need to have enough supplies on hand to be able to perform that activity in the community. The Township had also been heavily engaged with the Forest Hills School District and the Anderson Township Park District. She shared with both entities the survey from Hamilton County so they could list their concerns and their financial needs as well.

**Mrs. Earhart** stated that Chief Martin had come up with a creative idea to take some of the burden off business owners in the Township and asked him to explain. **Chief Martin** explained that during the annual business inspections there were a certain number of business which were defined by the Ohio Fire Code as needing a document called an Operational Permit. The operational permit generally dealt with things that need to be inspected above and beyond the normal business inspection. It usually relates to increased risk of some type, some examples of operational permit requirements were businesses that stored combustible or hazardous materials, welding operations, alarm monitoring, sprinkler systems that need to be checked, hood systems as well as the suppression systems related to it and industrial ovens, several of which were located in the northern part of the Township. Related to these operational permits was the fact that the State requires records to be maintained on all inspections; therefore, the State allows us to charge for those inspections. The past practice of the fire department had been to charge \$35.00 per operational permit, there were approximately 300 operational permits in the Township and the Village of Newtown. The Fire and Rescue Department proposed issuing the permits but not charging the \$35.00 operational permit fee. It was not a huge amount for businesses, but some businesses might have two or three permits. The inspections would still be done, and all the safety requirements would be adhered to. **Mrs. Stone** felt it was a great idea. **Mr. Gerth** agreed.

**Mrs. Earhart** thanked the Board for reaching out to the Senators regarding relief dollars. Senate Bill 310, which provided Cares Act funding for local governments was passed by the Senate, it was now moving on to the House and hopeful that would provide some reimbursement funding for the Township because the funding that was provided to Hamilton County for the Cares Act provided no opportunity for them to subgrant those funds to local jurisdictions, even though the Hamilton County Commissioners continued to work on legislation.

**Mrs. Earhart** asked Mr. Luginbuhl to update the Board on the road salt inventory. **Mr. Luginbuhl** explained that he was informed that Hamilton County was getting ready to place bid orders for road salt and asked if the Township would be interested in bidding again this year

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 7, 2020

through Hamilton County. There were 17 different municipalities that bid through Hamilton County. He was also informed that Cargill, which was awarded the bid last year, was going to require that the Township take 90% minimum of what had been ordered. As the winters had been less severe, not much road salt had been used. Currently, on hand, there was approximately 2,700 tons. Ninety percent of 3,500 tons would be approximately 3,150 tons, the Public Works Department had used 450 tons and was just under the 2,700-ton Cargill was requesting the Township take. If the Township declined to take the salt Cargill would store that it at \$15.00 a ton, a month for a total monthly storage fee of \$40,500. Therefore, his suggestion was not to bid for salt this year, purchase the minimum and store it at the Boatsmith property. He had done research on Environmental Protection Agency (EPA) rules, guidelines, and floodplain regulations. The Boatsmith property was not located in the 100-year flood range. Some of the EPA regulations dealt with distancing, so any run off from the salt could not leach into any kind of stream, river, well or dry well. The measurements taken off Cagis indicates that the Boatsmith property falls within those guidelines. The purchase price of 2,700 ton of salt at \$8,960 a ton was \$242,000 and there would be no storage charges on this salt. **Mrs. Stone** endorsed the plan and thanked Mr. Luginbuhl for thinking outside the box. **Mr. Gerth** 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), to confer with the Law Director concerning disputes that are the subject of pending or imminent court action as permitted by Ohio Revised Code Section 121.22(G)(3), and to review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment as permitted by Ohio Revised Code Section 121.22(G)(4). Mr. Pappas seconded the motion.**

There was no further discussion.

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

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

There was no further discussion.

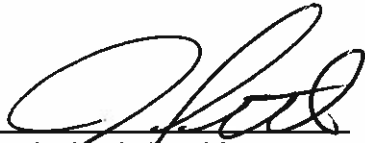
**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

As there was no further business, the meeting adjourned.



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 7, 2020

These minutes were approved at the meeting of June 18, 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 7<sup>th</sup> day of May 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 18<sup>th</sup> day of June, 2020.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 14, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held a duly announced special meeting on May 14, 2020, at 4:00 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the May 14, 2020, Special Meeting of the Anderson Township Board of Trustees. She announced that due to the declared state of emergency in the nation, in Ohio and in the Township, and the Order of the Director of the Ohio Department of Health issued March 12, 2020 in response to the COVID-19 emergency, this meeting was being convened telephonically.

The purpose of the Special Meeting was to accept public comment on the question of levying an annual motor vehicle license tax pursuant to ORC Sec. 4504.181. The Board would accept comments via phone during the meeting. She asked that all participants “mute” their phones and only “unmute” if speaking and to speak directly into their phone as opposed to using the speaker feature.

At each of the Board meetings, attendees were encouraged to complete a sign-in sheet including their name and address. Mrs. Earhart informed participants that they could electronically “sign-in” by simply sending an email to [Mmohrfield@andersontownship.org](mailto:Mmohrfield@andersontownship.org).

She identified the elected officials that were participating in this meeting including:

- Trustee Chair Josh Gerth
- Trustee Vice Chair Dee Stone
- Trustee Andrew Pappas
- Fiscal Officer Ken Dietz

Other personnel were joining in the meeting via phone including:

- Assistant Administrator for Operations Steve Sievers
- Law Director Margaret Comey
- Administrative Assistant Molly Mohrfield who was recording the meeting and would be preparing minutes

She stated that each of them would do their best to remember to state their name before beginning to speak so that those joining in via phone could follow along. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

She turned the proceedings over to Trustee Chair Josh Gerth.

**Mr. Gerth** called the meeting to order and asked everyone to join him in the Pledge of Allegiance.

**Mrs. Stone moved to adopt the agenda. Mr. Pappas seconded the motion.**

There was no further discussion.

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

## **PUBLIC HEARINGS AND APPEALS**

**Mr. Gerth** opened the public hearing for an Annual Motor Vehicle License Tax

Annual Motor Vehicle License Tax – **Mrs. Earhart** explained that this was the first of two public hearings that were required by statute. The advertisement was placed in the Cincinnati Enquirer as a legal ad and it has also been advertised on the Township's website [www.andersontownship.org](http://www.andersontownship.org).

As background, **Mrs. Earhart** stated that the Public Works Department was responsible for the maintenance of 122 miles of Township roadways, which was more than any other township in Hamilton County. Maintenance and repair responsibilities included curbs, sidewalks, storm sewers, and snow removal. In 2008, the Township took over maintenance of over 90 miles of sidewalks in public rights of way that Public Works is now required to maintain. Prior to that sidewalks in subdivision streets were maintained by the homeowner. Public Works also maintains the Township's fleet including the Fire and Rescue equipment. In addition, the Public Works Department maintains four cemeteries in the Township.

Looking to the financial picture, the 2020 budget for Public Works was \$4,600,000, and of that \$2,900,000 covers personnel costs. There were 11 full time employees in the Public Works Department and two seasonal, part time, snowplow operators, that were called in as needed. The \$4,600,000 not only funds personnel expenses, but also supplies and materials, such as salt, aggregate, tools and equipment, snow plows, chains, fuel, property and casualty insurance, tree trimming in the right of ways, utilities for the Public Works garage, repairs for that facility, cemetery maintenance and Anderson Trails construction and repair. \$1,700,000 of the Public Works budget was coming directly from the Tax Increment Finance (TIF) budget. The Township sought, through legislation, the ability to use those TIF dollars for road maintenance and repair only. Therefore, combined the \$2,900,000 from the Public Works budget, the \$1,700,000 in TIF, equals the \$4,600,000 budget for Public Works during 2020. On the revenue side, \$1,700,000 from TIF had to be excluded, leaving a shortfall.

Mrs. Earhart went on to explain that current funding sources for the Public Works Department were a motor vehicle tax, which was a 5% share of the State of Ohio tax of auto registrations for vehicles licensed in the Township, which equated to approximately \$45,800 a year in revenue. The gasoline tax, which equated to approximately \$250,000 in revenue, and a 1 mill Road and Bridge Levy comprise the remaining sources. The Road and Bridge Levy was approved by voters in 1998 and generated approximately \$850,000 a year. \$100,000 of those funds, per voter approval, was dedicated towards Anderson Trails. The Motor Vehicle License Fee was a \$5 registration on vehicles, which was enacted approximately 30 years ago, and that generated approximately \$320,000 a year. The reason for this public hearing was the 133rd Ohio General Assembly, in House Bill 62, known as the Transportation Bill, included an opportunity for townships and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 14, 2020*

municipalities to capture another \$5 per license. This was to help offset the revenue reductions that townships, in particular, had received over the years due to lack of tangible personal property, estate tax, and cuts in the Local Government Fund. This permissive tax was an annual motor vehicle license tax, for up to \$5 per motor vehicle, that was registered within the unincorporated territory of the Township. Those funds could be used for paying for construction, reconstruction improvements, maintenance or repair of Township roads, bridges and culverts, purchasing and erecting traffic signs, lighting of signals, purchasing road machinery and equipment, planning constructing and maintaining suitable buildings to house equipment, paying for railroad crossings, and supplementing revenues. The consideration of the Annual Motor Vehicle License tax required the Board to hold two public hearings, the second would be on May 21st at 6:00 PM. This additional tax, staff were estimating, would generate approximately \$225,000 a year for Public Works operations. The hope was that this tax would help stave off the need for a Road and Bridge levy at this time or provide one more tool, to perhaps lessen the amount of millage needed for a levy in the future. The Board had given staff direction on other things to look at to try to make up the shortfall between the projected revenue and the projected budget for the Public Works Department.

**Mr. Gerth** pointed out that this was not an additional tax. It was an alternative source of revenue that was being considered to offset the shortfalls of the Road and Bridge fund and any other funds. The Township received 100% of revenue from property taxes. There had been increases in property taxes over the years and this Board had done a good job of attempting to figure out how to provide exemplary services without relying continually on property taxes. The State Legislature had given the Township the ability to collect this fee and discussions would be held on what and how this offsets future needs, whether it was from a levy or any other sources of income.

**Mrs. Stone** stated that the fact that it had been 22 years since the last Road and Bridge levy was impressive. The number of road miles had increased by 10% and costs obviously had increased over the past 22 years. Therefore, she wanted people to keep that in mind when making comments.

**Mr. Pappas** pointed out that it was apparent costs had gone up and 22 years was a long time to stretch a levy. The Board and staff were looking for ways to lessen the blow of putting a tax levy on the ballot. The Annual Motor Vehicle License Fee was a very minimal way of coming to the taxpayers for additional sources of revenue for roads than a new or increased levy for this fund.

**Mr. Dietz** stated that the 1 mill levy that was passed 22 years ago, generated the same amount of dollars, but it was no longer at 1 mill. It was now approximately .67 mills because of the reduction due to the increase in assessed values since that time. Therefore, the Township was basically collecting the same amount of dollars because the amount of the levy was reduced. **Mr. Gerth** reiterated that the plan was to approach the State Legislature again to see if the restrictions on the TIF funds could be lifted so those dollars could then be appropriated to personnel costs. That was one of the actions, one of the directions, that would be taken before the consideration of a levy.

**Mr. Gerth** asked if anyone would like to comment on the Annual Motor Vehicle License Tax.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 14, 2020*

**Tim Curry, 6954 Paddison Road**, disagreed with not calling the Annual Motor Vehicle License Fee a tax, it was a tax. It was a tax based on the number of cars a resident owned. He understood that costs had gone up, therefore he supported this tax. **Mr. Gerth** stated that if he had given any impression that this was not tax, he apologized, stating it was very much a tax.

**Craig Best, 785 Eight Mile Road**, pointed out that he was a past employee of the Township. He did not think that the Annual Motor Vehicle License Fee was an issue. Stretching a levy for 22 years and witnessing firsthand how fiscally conservative the Township was, he appreciated that as a resident and taxpayer. Therefore, he was supportive of this tax and felt it was a way to work out some of the funding issues while attempting to get additional funding from the State.

**Stephen Kosky, 673 Four Mile Road**, stated that throughout these discussions it was explained why the Township needed more funding, but nothing was discussed regarding cost savings and how to reduce costs. He felt the timing of this additional tax was in poor judgement when people were struggling from the effects of COVID-19. He felt that the timing of these hearings and when the tax was going to get implemented was inconsiderate.

**Mr. Gerth** closed the public hearing.

**Mr. Gerth** asked if Mrs. Earhart would like to address the cost savings that had occurred over the years.

**Mrs. Earhart** stated that she also wanted to address the timing question, as well. The legislation that allowed the Board to take this action, or consider taking this action, went into effect last year. Staff had taken time to review it, to consider whether or not this was something that should be pursued. In all actuality, the Board could have enacted the tax last year; but they wanted to take their time and to review every aspect of the issue. If the tax was approved by the Board, it had to be filed by July 1st with Hamilton County and it would not take effect until 2021.

**Mrs. Earhart** stated regarding cuts the Township had made, she would give a more detailed report at the next public hearing on May 21<sup>st</sup>. She pointed out one of the things that had been under consideration was whether the Public Works Department should get bigger or smaller. After an in-depth review, bigger would have meant adding staff, adding vehicles, adding space to store those vehicles. Therefore, the decision was made to go smaller and contract out some of the services. Also, to keep costs low, the Public Works Department borrows equipment from other townships. In regard to the \$1,700,000 that came out of the TIF fund for road maintenance, prior to staff working with the legislature, those dollars came out the Road and Bridge levy.

**Mr. Gerth** pointed out that the Public Works budget was \$4,600,000. The goal was to get to that budget, and the steps the Township was going through currently was to determine if it made sense to get there in alternative ways, rather than continuing to increase property tax through levees.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 14, 2020

**Mrs. Earhart** added that the Board, in 2008, passed a resolution authorizing the Township to repair or replace sidewalks in front of residential homes. Each block, to repair or replace, averaged \$150. The money to repair those blocks was not included in 1998 Road and Bridge levy. Though, it was not a cost reduction for the Township, it did reduce expenses to homeowners.

**Mr. Pappas** stated that he appreciated all the comments. He pointed out that the Township did receive multiple requests regarding sidewalk repairs and replacements. There was never a separate levy set up for those expenses, which has put a strain on 1998 Road and Bridge levy. He pointed out that 22 years was a long time to stretch a levy with the additional expenses of sidewalks, and although staff does a wonderful job of trying to obtain grants and funding from the State and Federal sources, those funds did not nearly cover additional expenses.

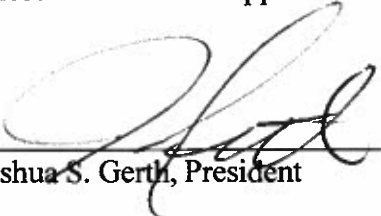
Also present telephonically, and for the record, were Lisa Dailey and Katie Zinn.

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

There was no further discussion.

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

These minutes were approved at the meeting of June 18, 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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 14<sup>th</sup> day of May, 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 18<sup>th</sup> day of June, 2020.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on May 21, 2020 at 5:30 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the May 21, 2020, meeting of the Anderson Township Board of Trustees. She announced that due to the declared state of emergency in the nation, in Ohio and in the Township and the Order of the Director of the Ohio Department of Health issued March 12, 2020, in response to the COVID-19 emergency, this meeting was being convened telephonically. The agenda for the meeting was available on the Townships website at [www.andersontownship.org](http://www.andersontownship.org). The Board would accept comments via phone during the Public Hearings for Case 2-2020, the Annual Motor Vehicle License Tax and Public Forum, which appeared later in the agenda. She asked that all participants “mute” their phones and only “unmute” if speaking and speak directly into the phone as opposed to using the speaker feature.

At each of the Board meetings, attendees were encouraged to complete a sign-in sheet including their name and address. Mrs. Earhart informed participants that they could electronically “sign-in” by simply send an email to [Mmohrfield@andersontownship.org](mailto:Mmohrfield@andersontownship.org).

She identified the elected officials that were participating in this meeting including:

- Trustee Chair Josh Gerth
- Trustee Vice Chair Dee Stone
- Trustee Andrew Pappas
- Fiscal Officer Ken Dietz

Other personnel were joining in the meeting via phone including:

- Assistant Administrator for Human Resources Suzanne Parker
- Assistant Administrator for Operations Steve Sievers
- Planning and Zoning Director Paul Drury
- Hamilton County Sheriff’s Lt. Dan McElroy
- Fire Chief Rick Martin
- Public Works Director Eric Luginbuhl
- Fiscal Office Manager Debbie Hucker and
- Administrative Assistant Molly Mohrfield who was recording this meeting and would be preparing minutes

She stated that each of them would do their best to remember to state their name before beginning to speak so that those joining in via phone could follow along. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

She turned the proceedings over to Trustee Chair Josh Gerth.



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020*

**Mr. Gerth called the meeting to order and moved to retire to Executive Session 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; Mrs. Stone, yes; Mr. Pappas, absent.**

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

**Mr. Gerth called the meeting to order and asked everyone to join him in the Pledge of Allegiance.**

**Mrs. Stone moved to adopt the agenda. Mr. Pappas seconded the motion.**

There was no further discussion.

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

### **PUBLIC HEARINGS**

**Mr. Gerth** opened the public hearing for Case 2-2020 Anderson, 3464 Mt. Carmel Road

Case 2-2020 Anderson, 3464 Mt. Carmel Road – **Ms. Donovan** stated that the applicant was Mark Walker, of Walker and Associates, on behalf of BEE Holdings Limited Partnership, property owner, requesting a zone change from “AA” Residence to “A-CUP” Single Family Residence, Community Unit Plan, to allow construction of a 12-lot, single family, subdivision which would include 11 buildable lots, 1 lot for detention, with a minimum lot area of 0.363 acres. The property currently contained a parking lot and a house, it was previously the location of the Great Community Church with a separate parsonage. The current owner purchased the parcel in September 2018 with the intent of tearing both buildings down.

A resubmittal open house was first held at the Anderson Center in July of 2019. The overall concerns from this open house were density compared to the surrounding properties, as well as water and detention maintenance. Hamilton County Regional Planning held a public hearing in February of 2020 and recommended approval of an application for a zone change to “A-2”. The original application was for a zone change to “AA” Residence, however Hamilton County Regional Planning Commission felt with the surrounding properties a “A-2” Residence designation was compatible in this area and moved forward with the recommendation to the Anderson Township Zoning Commission for approval. The Zoning Commission first heard this case on February 24, 2020. The Zoning Commission moved for a continuation of the case and ask the applicant to consider changing their request to a Community Unit Plan (CUP) or a Planned Unit Development (PUD). The reasoning was that a CUP or a PUD would guarantee the density shown on the plans, rather than the denser zoning of “A-2” Residence designation. The case was then heard again on April 27, 2020, via teleconference, and the application for the CUP was recommended for approval with the following conditions, that a sidewalk be installed along



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

Mount Carmel Road, a variety of trees planted on the berms rather than one species, removal of the label on lot seven and a label placed on that parcel as open space or detention are area. The applicant had since submitted plans that were in compliance with the site plan that the Zoning Commission reviewed. Staff recommends approval of the zone change to a CUP which was consistent with surrounding properties sizes in both Anderson and Union Townships.

**Mrs. Stone** asked how many homes could have been built with the “A-2” designation. **Ms. Donovan** replied one more. **Mr. Drury** clarified that the current zoning was “AA” Residence and required a minimum lot size of one acre. The applicant was proposing a “A-CUP” Single Family Residence, Community Unit Plan. Under the “A” Zoning District you are permitted a minimum lot size of 20,000 square feet. Since the recommendation was for a “CUP” and leaving lot seven as the detention basin and undevelopable, the overall density comes out to just over 22,000 square feet. The proposed density was just under what would be permitted in the “A” Zoning District.

**Zach Peterson, CFO Evans Landscaping**, stated that the subject property was acquired several years ago. The developer met voluntarily with many of the surrounding property owners and proposed a development that was denser than what was now proposed. The general feedback from that meeting was that the proposed development was too dense, and a landscape buffer was needed. There was also some concern about water, therefore a parcel was designated for a detention basin. Hamilton County Regional Planning approved a zone change that would have allowed 14,000 square foot lots, much denser than what has been requested. Part of Hamilton County Regional Planning rationale was when the zoning for this area was originally enacted the one-acre requirement was stemming from a public health concern due to the lack of sewers on Mount Carmel Road. Sewers were now on Mt. Carmel Road so the requirement for one-acre zoning no longer applied, which explained Hamilton County Regional Planning justification to allow 14,000 square foot lots. He stated that they had gone to great lengths to make the surrounding property owners happy. Ultimately, through all the feedback and revisions over the past year a good development plan had been reached. **Mr. Pappas** asked what the timetable was on starting. **Mr. Peterson** replied they were ready to start immediately.

**Mr. Gerth** asked if anyone would like to comment on Case 2-2020 Anderson, 3464 Mt. Carmel Road.

**Tom Baker, 8685 Apple Blossom Lane, Cincinnati OH 45244**, pointed out the property was flat, but it did slope downward causing water to run down Apple Blossom Lane and into yards. The residents were glad to see that issue had been addressed and hoped that would eliminate any future issues with flooding. He also asked who would inspect and ensure that the proposal, as it was presented, was upheld. **Mr. Drury** stated that if the zoning was approved by the Trustees that would enable the applicant to proceed with the subdivision process. All agencies of Hamilton County would review the subdivision plan from the infrastructure component, the utilities, and the storm water. All aspects must meet Hamilton Counties subdivision regulations.

**Mrs. Stone** asked what the price point would be.

Mr. Peterson replied that one of the needs that the Township struggled with, from a housing perspective, were single family homes that were cost prohibited ranging from \$500,000 to \$700,000 houses. The denser development, generally the lower the prices. Therefore, these homes would be on the lower end for the Township, approximately \$350,000 to \$400,000.

Mr. Gerth closed the hearing.

**Resolution 20-0521-01: Mrs. Stone moved to adopt a resolution approving and adopting a Zone Change from “AA” Residence to “A-CUP” Single-Family Residence Community Unit Plan for property located at 3464 Mt. Carmel Road as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0521-01  
CASE 2-2020 ANDERSON  
3464 MT. CARMEL ROAD  
(Book 500, Page 072, Parcel 048)**

**Approving and Adopting a Zone Change from “AA” Residence to “A-CUP” Single-Family Residence Community Unit Plan for property located at 3464 Mt. Carmel Road**

WHEREAS, this Board of Township Trustees (“Board”), on May 18, 2020, has discussed Case 2-2020 Anderson, an application filed by Mark Walker, of Walker and Associates, on behalf of BEE Holdings Limited Partnership, property owner, requesting an amendment to the map of the Anderson Township Zoning Resolution for properties located at 3462 Mt Carmel Road (Book 500, Page 072, Parcel 048, containing 5.956 acres to effect, a modification to the Anderson Township Zoning Map from “AA” Residence to “A-CUP” Single Family Residence Community Unit Plan, to allow the construction of a 12-lot single family subdivision, 11 buildable lots, 1 lot for detention, with a minimum lot area of 0.363 acres, an average lot area of 0.411 acres, proposed net density of 22,366 SF per buildable lot, lot sizes ranging 15,800 SF to 23,000 SF, lot widths of 85-90ft., front yard setbacks of 40ft, side yard setbacks of 15 ft, and rear yard setbacks of 35 ft.; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Hamilton County Regional Planning Commission recommended approval of an application for a zone change to “A-2” on February 6, 2020; and

WHEREAS, in Case 2-2020 Anderson, the Anderson Township Zoning Commission held a public hearing for this Zone Change request from “AA” Residence to “A-2” Residence and requested the applicant to consider changing their request to a Community Unit Plan (CUP) or Planned Unit Development (PUD), the meetings of which were held on February 24, 2020 and April 27, 2020; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Anderson Township Zoning Commission recommended approval of Case 2-2020 Anderson, with conditions, at its April 27, 2020; and

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 21, 2020

WHEREAS, on May 21, 2020, this Board reviewed the Application, the documents and testimony pertaining thereto and the recommendations of the Hamilton County Regional Planning Commission and the action of the Anderson Township Zoning Commission; 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 concurs with the recommendations of the Anderson Township Zoning Commission, and finds that the Application, as recommended for approval with conditions by the Anderson Township Zoning Commission, will not be in conflict with the best interest of the Township and the public, and therefore approves the Application, with conditions, for the following reasons:

1. The Anderson Township Comprehensive Plan Future Land Use Map designates the entire site as "Single-Family Residence", which is defined as "low-density detached housing and related compatible uses." The proposed single-family use is consistent with the "Single-Family Residence" designation. The proposed zone change is also consistent with the following 2016 Anderson Township Comprehensive Plan text:
  - General Land Use Guideline #3 in Chapter 6: Land Use and Development, states "Unless otherwise noted, lot sizes and subdivisions should be compatible with adjacent developments in terms of lot sizes, density, character, and scale. New development or redevelopment should not be detrimental to the general character of the surrounding neighborhoods."
  - Housing and Neighborhoods: The Township will be comprised of high-quality neighborhoods with diverse, well-maintained housing.
  - Land Use and Development: Anderson Township will be a well-planned community with a mixture of agricultural uses, residential neighborhoods, commercial centers, and an industrial base balanced with public uses, parks and other recreational uses.
2. The proposed zone change to "A-CUP" is consistent with surrounding property sizes in both Anderson and Union Township.
3. The proposed use is compatible with the surrounding neighborhood and stabilizes the neighborhood by promoting orderly development with its compliance with the Zoning Resolution.
4. The health and safety of the neighborhood and the Township are maintained.
5. The proposed use of the site provides an opportunity for the applicant to realize a

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

reasonable profit (not necessarily a maximum profit) from the applicant's use of the subject land.

SECTION 2. The Board further finds that the Preliminary Plan for the Application (the Plan) shall be subject to the conditions and declarations of Article 5.1, General Development Plan Provisions, Section 5.1 et. seq., inclusive, of the Anderson Township Zoning Resolution, and subject further to the following conditions:

**As recommended by the Anderson Township Zoning Commission, and/or by this Board:**

1. (If Necessary for Trustee conditions)

SECTION 4. Final Development Plan: No Final Development Plan shall be approved by the Anderson Township Zoning Commission before:

1. All "Requirements for Submission" have been completed;
2. Building and parking setbacks, building heights, floor area, density, construction limits and impervious surfaces are in conformance with those which are specified or depicted on the approved Preliminary Development Plan;
3. A landscape plan for perimeter buffers and other required areas is prepared by a registered landscape architect, complete with all necessary details and specifications for new landscaping features, a depiction of existing landscaping and tree mass that is to remain, and specifications for soil erosion and sedimentation control, and submitted to and approved by the Anderson Township Zoning Commission.
4. The plan complies with applicable recommendations of:
  - (1) The County Engineer regarding site distance analysis, right-of-way and access improvements and circulation concept;
  - (2) Hamilton County Planning and Development regarding surface drainage concept;
  - (3) The Metropolitan Sewer District and/or O.E.P.A. regarding sewerage concept;
  - (4) The Natural Resource Conservation Service regarding erosion and sedimentation control concept; and
  - (5) The authorized Fire Prevention Officer under the jurisdiction of the Board regarding Fire Prevention concepts.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

SECTION 5. Construction Permits: No Zoning Certificate or building permit for actual construction shall be issued before a Final Development Plan has been approved by the Anderson Township Zoning Commission.

SECTION 6. Occupancy Permit

1. No Certificate of Occupancy shall be issued before the following documents are submitted to or received from the following officials or agencies:

- (a) A letter from the County Engineer certifying that the approved plans and specifications for right-of-way and access improvements, on-site and off-site, have been completely implemented;
- (b) A summary report from the Applicant's registered engineer or surveyor as required by and addressed to the Director of Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; Director of Public Works shall inform the Anderson Township Zoning Inspector when such report is received and accepted.
- (c) A letter from the Metropolitan Sewer District or O.E.P.A. certifying that the approved Plan and specifications for sanitary sewer and wastewater treatment have been completely implemented;
- (d) A summary report from the registered landscape architect who prepared the landscape plan, attesting to completion of the landscape plan and soil erosion and sedimentation control measures, noting any deviations and the reasons for such deviations;
- (e) A letter from the authorized Fire Prevention Officer under jurisdiction of the Board, certifying that the approved plan and specifications for fire prevention have been completely implemented;
- (f) A letter from the Ohio Department of Transportation stating that all applicable requirements have been fulfilled.

2. No Certificate of Occupancy shall be issued before the development complies with all of the terms, covenants, and conditions of approval, as imprinted on the Final Development Plan and contained in this Resolution.

SECTION 7. Maintenance of Improvements:

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 21, 2020

1. All landscaping, ground cover and other property improvements shall be maintained by the subject owner of the property or its successors in title in perpetuity or until the approved use ceases to exist.
2. All specifications, conditions, and limitations, which are imprinted on the Final Development Plan or contained in this Resolution shall be enforced throughout the life of the development by the Anderson Township Zoning Inspector.

SECTION 8. A certified copy of this Resolution be directed, by the Fiscal Officer, to the Applicant and its Agent for this Amendment, to the Anderson Township Zoning Commission, to the Township Zoning Inspector, the Department of Public Works, the County Engineer Permit Department, the Metropolitan Sewer District, and the Ohio Department of Transportation, and a certified copy be filed with the Hamilton County Recorder and Hamilton County Regional Planning Commission within five (5) days after the effective date of this Resolution.

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; Mrs. Stone, yes; Mr. Pappas, yes.**

**Mr. Gerth** opened the public hearing for an Annual Motor Vehicle License Tax

Annual Motor Vehicle License Tax – **Mrs. Earhart** explained that this was the second of two public hearings that were required by statute for consideration of a Motor Vehicle License Tax. The 133rd General Assembly, the Ohio General Assembly, in House Bill 62, the Transportation Bill, included an opportunity for townships and municipalities to collect an annual motor vehicle license tax, for up to \$5, per motor vehicle, that was registered within the unincorporated territory of the Township. This fee did not apply to commercial vehicles.

The 2020 projected budget for the Public Works Department was \$4,600,000 and of that, \$2,900,000 covers personnel costs along with supplies and materials, such as salt, aggregate fuel, property and casualty insurance, tree trimming in the right of ways, utilities for the Public Works garage, repairs for that facility, cemetery maintenance and Anderson Trails construction and repair. The remaining \$1,700,000 of the Public Works budget was coming directly from the Tax Increment Finance (TIF) budget. The Township sought, through legislation, the ability to use those

100

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 21, 2020

TIF dollars for road maintenance and repair only. The 2020 anticipated revenue was \$1,700,000, that did not include any potential reductions from the pandemic. The 1998 levy, which was \$1,000,000 when it was approved, was bringing in approximately \$800,000 in revenue. Additional funding sources for the Public Works Department were a motor vehicle tax, which was a 5% share of the State of Ohio tax of auto registrations for vehicles licensed in the Township, as based on road mileage, which equated to approximately \$45,800 a year in revenue. The gasoline tax, which equated to approximately \$250,000 in revenue. Therefore, combined the \$2,900,000 from the Public Works budget, the \$1,700,000 in TIF, equals the \$4,600,000 budget for Public Works during 2020. On the revenue side, \$1,700,000 from TIF had to be excluded, leaving a shortfall.

During the last public hearing a resident questioned what had been done to cut cost in the Public Works Department. Since 2007 it was apparent that there was going to be some shortfalls in the funding needs. Therefore, the process of reducing employees through attrition began, five full time positions were eliminated. Landscaping and mowing were outsourced to reduce costs. The Public Works staff was split into two crews, one crew worked four, ten-hour days during the week and one crew worked five, eight-hour days, the result was 48 hours of coverage from the Public Works Department weekly, with no overtime required. The Township participated in Hamilton Counties salt bid gaining the economies of scale. The County and other jurisdictions were all bidding for the same salt giving the Township a better price. An arrangement was made with Hamilton County that the plow drivers that served the northern portion of the Township could obtain salt from the Hamilton County garage in Newtown, which saved both fuel and wear and tear on the vehicles. A pavement management system was used, which rated the condition of roadways and infrastructure in the Township. They ratings ranged from "very good to excellent" "fair to good" and "poor to failed". That information was then used to determine what would be paved to ensure that roads were kept in good condition, thus not falling behind on repairs and maintenance. The first year, when working in a subdivision, curbs and sidewalks were replaced at the same time because those two projects could be bid together allowing for a better price on concrete. The following year paving took place. The Public Works Department shares and borrows equipment with other jurisdictions, which helped reduce cost so that every jurisdiction did not have to purchase the same equipment. The trailers used to haul equipment were 20 years old, they had been redocked and repainted a number of times. The backhoe still in use was purchased in 1996 and had far exceeded the 7 to 10-year lifecycle. Fire Department radios were refurbished, therefore allowing the Public Works crews to have radios for communication purposes. In 2015/2016 the Township was successful in seeking legislation, allowing the 1994 TIF funds to be used for ongoing road maintenance. That took approximately \$600,000 a year off of the Road and Bridge Levy because those TIF dollars were used for maintenance. Also, in 2017/2018 the General Assembly passed legislation that allowed the use of the same TIF dollars for ongoing maintenance at Anderson Center which took it off of the levy proceeds and the taxpayers. Since 2000 the Township had received approximately \$3,000,000 in grants for improvements to Township roadways. Currently, the Township had applied for \$5,000 grant that would cover the replacement of some signage. Those were some of the things that had been done and continue to be done to reduce expenses and to reduce dependence on levy dollars. The Board was required to hold two public hearings and to consider

a resolution to levy this tax if it chooses to do so. The anticipate Motor Vehicle License Tax would generate approximately \$225,000 a year for public works operation

**Mr. Gerth** asked if anyone would like to comment on the Annual Motor Vehicle License Tax.

Hearing nothing, **Mr. Gerth** closed the public hearing, stating that an additional special meeting would be held regarding the Annual Motor Vehicle License Tax, at which time a decision would be rendered.

## PRESENTATIONS AND RECOGNITIONS

Resolution Declaring Mental Awareness Month in Anderson Township –

**Resolution 20-0521-02: Mr. Pappas moved to adopt a proclamation resolution designating May 2020 as Mental Health Awareness month in Anderson Township as follows; Mrs. Stone seconded the motion:**

### RESOLUTION NO. 20-0521-02

#### PROCLAMATION RESOLUTION DESIGNATING MAY 2020 AS MENTAL HEALTH AWARENESS MONTH IN ANDERSON TOWNSHIP

WHEREAS, one in 5 adults in the United States lives with a mental health condition; and

WHEREAS, mental illnesses are common in the United States, affecting tens of millions of people each year; and

WHEREAS, estimates suggest that only half of people with mental illnesses receive treatment; and

WHEREAS, according to the Centers for Disease Control and Prevention WISQARS Leading Causes of Death Reports in 2017, suicide was the tenth leading cause of death overall in the United States, claiming the lives of over 47,000 people; and

WHEREAS, suicide was the second leading cause of death among individuals between the ages of 10 and 34, and the fourth leading cause of death among individuals between the ages of 35 and 54 according to the same report; and

WHEREAS, there were more than twice as many suicides in the United States as there were homicides in 2017; and

WHEREAS, early intervention programs are important as half of all lifetime mental health conditions begin by age 14 and 75% by age 24; and

WHEREAS, ninety percent of those who die by suicide have an underlying mental illness; and



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

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, people experiencing mental health conditions often face rejection, bullying and even discrimination; and

WHEREAS, the isolation, blame and secrecy that is often encouraged by such stigma can create challenges to reaching out, getting needed support and living well; and

WHEREAS, mental health care is health care;

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 May 2020 as

**MENTAL HEALTH AWARENESS MONTH IN ANDERSON TOWNSHIP**

and urges all residents to raise mental health awareness and continue to help their friends, family, and neighbors live longer, healthier lives.

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; Mrs. Stone, yes; Mr. Pappas, yes.**

Resolution Declaring May as Bike Month in Anderson Township –

**Resolution 20-0521-03: Mrs. Stone moved to adopt a proclamation resolution designating May 2020 as Bike Month in Anderson Township as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0521-03**

**PROCLAMATION RESOLUTION DESIGNATING  
MAY 2020 AS BIKE MONTH IN ANDERSON TOWNSHIP**

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of Anderson Township's scenic beauty; and

WHEREAS, throughout the month of May, the residents of Anderson Township and its visitors will experience the joys of bicycling, especially this year during the COVID-19 pandemic, as Anderson Township's trails have seen a drastic increase in ridership throughout the crisis, ; and

WHEREAS, Anderson Township's multi-use trails and Anderson Trails Network attract bicyclists from throughout the region, providing economic, health, transportation, tourism, and recreation benefits throughout the COVID-19 pandemic; and

WHEREAS, creating a bicycling-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy of Anderson Township, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, Tri-State Trails, Queen City Bike, and other advocacy and community groups will be promoting bicycling during the month of May 2020; and

WHEREAS, these groups are also promoting greater public awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road;

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 May 2020 as

**BIKE MONTH IN ANDERSON TOWNSHIP**

and urges all residents to join in this special observance.

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.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 21, 2020*

There was no further discussion.

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

### **PUBLIC FORUM**

**Mr. Gerth** invited members of the telephonic audience to address the Board.

**Denise Scretchen, Senior Manager at the Anderson Branch Library, 7450 State Road**, thanked the Board for the opportunity to address them and the community. The Anderson Library was part of the greater organization of the Public Library of Cincinnati and Hamilton County. The library had a tremendous and positive impact on the communities that they serve. Programming was something that the library felt was very important. As an institution, they were committed to lifelong learning, therefore a variety of programs were made available to the community free of charge. Librarians had been working remotely and had been doing virtual story time that could be accessed at the library's website. She announced that the library had a YouTube channel and were assisting parents and children with homework assignments. They had also been providing employment and small business resources through their website and had assisted more than 14,000 customers by phone since closing on March 13<sup>th</sup>. They had also expanded their E Branch collection to over 10,000 new titles for their digital collection. They provide free Wi-Fi, and approximately 523 use the Wi-Fi in their parking lot on a daily basis. Staff had made Personal Protective Equipment (PPE) for health care workers using libraries that had sewing machines. The Anderson branch would start providing curbside service Monday, Tuesday, and Thursday from 12 pm to 8 pm and Wednesday, Friday, and Saturday from 10 am to 6 pm beginning June 1<sup>st</sup>. A bank style drive through service window was going to be installed, which would allow people to come to the library and get the service they required without having to come into the building.

### **TRUSTEE COMMENTS**

**Mr. Pappas** stated that there was a push to have this meeting in person but were prohibited by the Governor's restrictions on *gatherings* of more than 10 people. He wanted to thank fire, police, township staff, public works, and all public employees that were providing services that had not been interrupted during these unprecedented times.

### **FISCAL OFFICER**

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

**Minutes** –

**Resolution 20-0521-04: Mr. Pappas** moved to approve the minutes of March 19, 2020; April 2, 2020; and April 16, 2020; with minor corrections. **Mrs. Stone** seconded the motion.

There was no further discussion.

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

**PLANNING & ZONING**

Request to Submit Grant Application to Construct Anderson Trails Link from Elstun Road to the Little Miami Scenic Trail Beechmont Bridge Widening Project and Committing Local Funds –

**Resolution 20-0521-05: Mrs. Stone moved to adopt authorizing grant application to construct Anderson Trails link from Elstun Road to the Little Miami Scenic Trail Beechmont Bridge widening project and committing local matching funds as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0521-05**

**AUTHORIZING GRANT APPLICATION TO CONSTRUCT ANDERSON TRAILS LINK FROM ELSTUN ROAD TO THE LITTLE MIAMI SCENIC TRAIL BEECHMONT BRIDGE WIDENING PROJECT AND COMMITTING LOCAL MATCHING FUNDS**

WHEREAS, the Board of Township Trustees of Anderson Township ("Board") has repeatedly demonstrated its support for quality of life services including the provision of leisure-time opportunities for healthy exercise and the establishment of alternatives to motor vehicle transportation; and

WHEREAS, Anderson Township has been recognized as a pedestrian and bicycle-friendly community, and this Board has supported the planning of the Five Mile Trail, and inter-jurisdictional 14-mile Ohio River Trail, has officially adopted a citizen-prepared Anderson Trails plan (including six updates) for a network of walking and/or biking routes around the Township, has constructed over twenty-five miles of links in this network, and has applied for and been awarded grants to fund other Anderson Trails sections; and

WHEREAS, the Anderson Township Transportation Advisory Committee prepared an update to the Anderson Trails Plan in 2018, which identifies this Trails project in association with the Little Miami Scenic Trail; and

WHEREAS, this Trails project represents a key connection to the Skytop Shopping Center, a key site for redevelopment as outlined in the Anderson Township 2017 Comprehensive Plan, and the proposed location for multi-family housing; and

WHEREAS, preliminary engineering for this trail segment on Beechmont Avenue from Elstun Road to the LMST Beechmont Bridge Widening Project was completed by IBI Group, and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020*

this determined that the project was feasible from right-of-way, environmental, engineering and financial perspectives;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the preparation and submission of a grant application for Ohio Department of Transportation Alternatives Funds through the Ohio-Kentucky-Indiana Regional Council of Governments, in an amount not to exceed \$750,000 in construction funding, to construct a walkway/sidewalk within or near the Hamilton County right-of-way along Beechmont Avenue, per the preliminary engineering study, with matching Anderson Township TIF funds of up to \$750,000, and an additional \$250,000 for engineering and environmental activities, and right-of-way acquisition/services, to be provided in the event that such grant is received.

BE IT FURTHER RESOLVED that the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution;

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public in compliance with all legal requirements including, without implied limitation, Section 121.22 of the Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

#### **SHERIFF'S OFFICE**

**Lt. McElroy** made a public service announcement relating to the uptick in vehicles break-ins and theft of motor vehicles. In all cases keys were left in the vehicles and the vehicles unlocked. Residents can check crime hot spots for specific criminal incidents from an online map tracking tool. The free crime mapping tool is available through Lexus Nexus Community Crime Map.

#### **PUBLIC WORKS DEPARTMENT**

Copperglow –

**Resolution 20-0521-06: Mr. Pappas moved to authorize bidding for the Copperglow Court Culvert Pipe project. Mrs. Stone seconded the motion.**

There was no further discussion.

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

#### **FIRE AND RESCUE DEPARTMENT**

Donation of LifePaks –

**Resolution 20-0521-07: Mrs. Stone moved to adopt a resolution authorizing the disposition of three Physio Control LifePaks units pursuant to Section 505.10(A)(7) of the Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0521 – 07**

**RESOLUTION AUTHORIZING THE DISPOSITION OF THREE PHYSIO CONTROL LIFEPAK UNITS PURSUANT TO SECTION 505.10(A)(7) OF THE REVISED CODE**

WHEREAS, Section 505.10 of the Revised Code (the “Statute”) provides that a board of township trustees may provide for the disposition of 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 Statute; and

WHEREAS, division (A)(7) of the Statute provides that if a board of township trustees determines that township personal property is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and that the property has no value, the board may discard or salvage that property; and

WHEREAS, the Township acquired and owns three Physio Control Lifepak-12 monitor/defibrillator (LP-12) units (the “Property”), for which Physio Control/Stryker Corp., manufacturer of the Property, has given notice that as of January 1, 2020, it will no longer support the Property, making the Property not needed for public use; and

WHEREAS, this Board desires to dispose of the Property, which this Board hereby deems not to have monetary value to the Township because the manufacturer no longer provides support of the Property; and

WHEREAS, Support Our Smiles is a non-profit entity that provides donated medical services within the Republic of Peru (“Support Our Smiles”) and Support Our Smiles has expressed an interest in acquiring the Property for its use in Peru; and

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

SECTION 1. That this Board hereby finds that the Property is no longer needed for public use and has no monetary value to the Township. Therefore, this Board determines that it is in the best interest of the Township to dispose of the Property pursuant to the Statute, and particularly division (A)(7) of the Statute, “as is” by donation to Support Our Smiles.

SECTION 2. That the Township Administrator is authorized to sign all documents necessary to affect such disposition of the Property on an “as is” basis so long as she obtains an

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020

acknowledgement of acceptance of the Property executed by Support Our Smiles, which acknowledgement shall evidence that Support Our Smiles accepts the Property by donation “as is” and without any warranties.

SECTION 3. That the preambles hereto are and shall for all purposes 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) 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; Mrs. Stone, yes; Mr. Pappas, yes.**

#### **ADMINISTRATION**

COVID-19 Update – Mrs. Earhart stated that she was tracking the Governor's orders as they change daily. The latest order dealt with reopening of certain elements including banquet halls. She had a conference call scheduled with staff to look at what reopening various portions of Anderson Center would look like, how it could be accomplished, and was it safe to do so. The Planning and Zoning Department and the Public Works Department, as well as, the Fiscal Office and Administration, were all operating as normal from remote locations to limit exposure. This was the model that would be continued for some time but there were some other elements that needed to be reviewed as far as the overall facilities and she hoped to have something to the Board in the upcoming week.

#### Stormwater Detention Retrofit –

**Resolution 20-0521-08: Mr. Pappas made a motion to authorize the Township Administrator, after review of the contract by the Law Director, to enter into contract with Sustainable Streams for Phase 1 work, in an amount not to exceed \$9,000, with a contingency of \$900 as outlined in the proposal dated May 1, 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.**

#### Resolution Approving and Authorizing the Execution of a License Agreement with One Anderson Place –

**Resolution 20-0521-09: Mrs. Stone moved to adopt a resolution approving and authorizing the execution of a license agreement with One Anderson Place, LLC as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0521 – 09**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH ONE ANDERSON PLACE, LLC**

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 is the owner of certain parcels of real property identified as Hamilton County Auditor’s Tax ID Nos. 500-0202-002 and 500-0202-0208 (the “Township Property”); and

WHEREAS, One Anderson Place, LLC, an Ohio limited liability company, is the owner of a parcel of real property identified as Hamilton County Auditor’s Tax ID No. 500-0202-0200 (the “Grantee Property”), which is located adjacent to the Township Property; and

WHEREAS, One Anderson Place, LLC (the “Grantee”), is developing the Grantee Property and seeks to obtain a non-exclusive ingress/egress easement and a non-exclusive access/maintenance easement on, over, through and across a portion of the Township Property to provide access for the purposes of ingress/egress to and access to and maintenance of the Grantee Property; and

WHEREAS, by Resolution No. 20-0116-10, this Board determined that entering into that certain Ingress/Egress Easement and Access/Maintenance Easement Agreement, by and between this Board and Grantee, then before this Board (the “Easement Agreement”) is in the best interests of the Township; and

WHEREAS, an easement is a property interest in the land of another that allows the grantee of the easement limited use of the land in, over and through which the easement exists; and

WHEREAS, the Easement Agreement has not yet been entered into for the reason that adjacent land is being surveyed for development and it is prudent to see the outcome of that survey as it may impact the terms of the Easement Agreement; and

WHEREAS, a license to utilize certain Township Property comprises a property interest in the land of another that allows the licensee limited use of the land for which the license is granted; and



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 21, 2020

WHEREAS, until such time as the Easement Agreement is finalized and executed, Grantee seeks a license to access and utilize the areas on Township Property that are expected to be the subject of the Easement Agreement;

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 enter into a License Agreement (the "License Agreement") with One Anderson Place, LLC, as Licensee, in substantially the form attached hereto as Exhibit A and by this reference made a part hereof, the form of which is hereby approved.

SECTION 2. That the Township Administrator is hereby authorized to execute the License Agreement on behalf of this Board in substantially the form attached hereto as Exhibit A, 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 License Agreement. Further, the Township Administrator is authorized to execute and deliver such additional documentation related to the License Agreement as she may deem, after consultation with the Law Director, not to be disadvantageous to the Township and to be necessary and appropriate, such determinations being conclusively evidenced by her execution of such documentation.

SECTION 3. That the preambles hereto are and 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; Mrs. Stone, yes; Mr. Pappas, yes.**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020

Ohio-Kentucky-Indiana Regional Counsel of Governments Intermodal Coordinating Committee  
FY 2021 Appointments –

**Resolution 20-0521-10: Mr. Pappas moved to appoint Steve Sievers as Anderson Township's representative on the Intermodal Coordinating Committee of the Ohio-Kentucky-Indiana Regional Council of Governments and Paul Drury as alternate for 2021, both to be installed by the OKI President. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Renew ALICE Training Agreements –

**Resolution 20-0521-11: Mrs. Stone moved to authorize the Township Administrator to enter into a three-year contract with Navigate 360 for ALICE training at the rate of \$2,575.40 per year. Mr. Pappas seconded the motion.**

There was no further discussion.

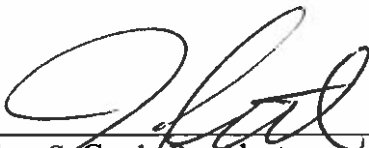
**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of July 16, 2020.

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

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 21, 2020

**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 21<sup>st</sup> day of May 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 16<sup>th</sup> day of July, 2020.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*May 29, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held a duly announced special meeting on May 29, 2020, at 3:00 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the May 29, 2020, Special Meeting of the Anderson Township Board of Trustees. She announced that due to the declared state of emergency in the nation, in Ohio and in the Township, and the Order of the Director of the Ohio Department of Health issued March 12, 2020 in response to the COVID-19 emergency, this meeting was being convened telephonically.

The purpose of the Special Meeting was to accept public comment on the question of levying an annual motor vehicle license tax pursuant to ORC Sec. 4504.181. The Board would accept comments via phone during the meeting. She asked that all participants “mute” their phones and only “unmute” if speaking and to speak directly into their phone as opposed to using the speaker feature.

At each of the Board meetings, attendees were encouraged to complete a sign-in sheet including their name and address. Mrs. Earhart informed participants that they could electronically “sign-in” by simply sending an email to [Mmohrfield@andersontownship.org](mailto:Mmohrfield@andersontownship.org).

She identified the elected officials that were participating in this meeting including:

- Trustee Chair Josh Gerth
- Trustee Vice Chair Dee Stone
- Trustee Andrew Pappas
- Fiscal Officer Ken Dietz

Other personnel were joining in the meeting via phone including:

- Assistant Administrator for Operations Steve Sievers
- Public Works Director Eric Luginbuhl
- Law Director Margaret Comey
- Administrative Assistant Molly Mohrfield who was recording the meeting and would be preparing minutes

She stated that each of them would do their best to remember to state their name before beginning to speak so that those joining in via phone could follow along. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

She turned the proceedings over to Trustee Chair Josh Gerth.

**Mr. Gerth** called the meeting to order and asked everyone to join him in the Pledge of Allegiance.

**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.**

## **PUBLIC HEARINGS AND APPEALS**

**Mr. Gerth** opened the public hearing for the Annual Motor Vehicle License Tax.

Annual Motor Vehicle License Tax – **Mrs. Earhart** stated that the Public Works Department was responsible for the maintenance of 122 miles of Township roadways, which was more than any other township in Hamilton County. Maintenance and repair responsibilities included curbs, sidewalks, storm sewers, and snow removal. In 2008, the Township took over maintenance of 90 miles of sidewalks in public rights of way that Public Works was now required to maintain. Prior to that sidewalks in subdivision streets were maintained by the homeowner. Public Works also maintains the Township's fleet including the Fire and Rescue equipment. In addition, the Public Works Department maintains four cemeteries in the Township.

The 2020 budget for Public Works was \$4,600,000, which was broken into two categories. \$2,900,000 covers personnel, as there were 11 full time and 2 temporary seasonal employees. It also covered supplies, materials, tools and equipment, fuel, property and casualty insurance, tree trimming in the rights of way, repairs, cemetery maintenance, and Anderson Trails construction and repair. The additional \$1,700,000 was Tax Increment Financing (TIF) dollars. The Township sought, through legislation, the ability to use those TIF dollars for road maintenance and repair only. The 2020 anticipated revenue for the Public Works Department was \$1,700,000, and that did not include any potential reductions from the pandemic. The 1998 levy, which was \$1,000,000 when it was approved, was bringing in approximately \$800,000 in revenue. Additional funding sources for the Public Works Department were a motor vehicle tax, which was a 5% share of the State of Ohio tax of auto registrations for vehicles licensed in the Township, as based on road mileage, which equated to approximately \$45,800 a year in revenue. The gasoline tax equated to approximately \$250,000 in revenue. Therefore, combined the \$2,900,000 from the Public Works budget, the \$1,700,000 in TIF, equals the \$4,600,000 budget for Public Works during 2020. On the revenue side, \$1,700,000 from TIF had to be excluded, leaving a shortfall.

During the May 14<sup>th</sup> public hearing a resident questioned what had been done to cut costs in the Public Works Department. The list was long, as since 2007 it was apparent that there were going to be some shortfalls in funding needs. Therefore, the process of reducing employees through attrition began and five full time positions were eliminated. Landscaping and mowing were outsourced to reduce costs. The Public Works staff was split into two crews, one crew worked four, ten-hour days during the week and one crew worked five, eight-hour days. The result was 48 hours of coverage from the Public Works Department weekly, with no overtime required. The Township participated in Hamilton County's salt bid gaining the economies of scale. The County and other jurisdictions were all bidding for the same salt giving the Township a better price. An

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 29, 2020

arrangement was made with Hamilton County that the plow drivers that served the northern portion of the Township could obtain salt from the Hamilton County garage in Newtown, which saved both fuel and wear and tear on the vehicles. A pavement management system was used, which rated the condition of roadways and infrastructure in the Township. The ratings ranged from "very good to excellent", "fair to good", and "poor to failed". That information was then used to determine what would be paved to ensure that roads were kept in good condition, thus not falling behind on repairs and maintenance. The first year, when working in a subdivision, curbs and sidewalks were replaced at the same time because those two projects could be bid together allowing for a better price on concrete. The following year paving took place. The Public Works Department shares and borrows equipment with other jurisdictions, which helped reduce cost so that every jurisdiction did not have to purchase the same equipment. The trailers used to haul equipment were 20 years old, they had been re-decked and repainted a number of times. The backhoe still in use was purchased in 1996 and had far exceeded the 7 to 10-year lifecycle. Fire Department radios were refurbished, therefore allowing the Public Works crews to have radios for communication purposes.

In 2015/2016 the Township was successful in seeking legislation, allowing the 1994 TIF funds to be used for ongoing road maintenance. That took approximately \$600,000 a year off of the Road and Bridge Levy because those TIF dollars were used for maintenance. Also, in 2017/2018 the General Assembly passed legislation that allowed the use of the same TIF dollars for ongoing maintenance at Anderson Center, which took it off of the levy proceeds and the taxpayers. Since 2000, the Township had received approximately \$3,000,000 in grants for improvements to Township roadways. Currently, the Township had applied for a \$5,000 grant that would cover the replacement of some signage. Those were some of the things that had been done and continue to be done to reduce expenses and to reduce dependence on levy dollars.

The 133rd General Assembly, in House Bill 62, known as the Transportation Bill, included an opportunity for townships and municipalities to collect an annual motor vehicle license tax, for up to \$5 per motor vehicle that was registered within the unincorporated territory of the Township. This fee did not apply to commercial vehicles. The Ohio Revised Code section that allowed consideration of the tax became effective in July 2019. Should the Board enact this motor vehicle license tax it would go into effect January 1, 2021. It was a \$5 per year, per vehicle. The tax would generate approximately \$225,000 annually for the Public Works Department.

**Mr. Gerth** asked if anyone would like to comment on the Annual Motor Vehicle License Tax.

**Mr. Sievers** stated, for the record, that no other callers, other than staff and Elected Officials were dialed in.

**Mr. Gerth** closed the public hearing

**Mr. Pappas** pointed out that it was the Board's desire to conduct this public hearing in person, but due to timing that was dictating when action was needed on the Annual Motor Vehicle License Tax, and the COVID-19 restrictions on mass gatherings of more than 10 people, the

Board had no choice but to convene telephonically. This third public hearing was added in an attempt to increase public participation. The Board did not take this issue lightly and wanted to afford residents every ample opportunity to weigh in.

**Resolution 20-0529-01: Mr. Pappas moved to adopt a resolution levying an annual license tax upon the operation of Motor Vehicles on public roads and highways in the Township pursuant to Section 4504.181 of the Ohio Revised Code as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0529 – 01**

**LEVYING AN ANNUAL LICENSE TAX UPON THE OPERATION OF MOTOR VEHICLES ON PUBLIC ROADS AND HIGHWAYS IN THE TOWNSHIP PURSUANT TO SECTION 4504.181 OF THE OHIO REVISED CODE**

WHEREAS, pursuant to Section 4504.181 of the Ohio Revised Code effective July 3, 2019 (the “Statute”), a board of township trustees may levy, by resolution, an annual license tax at the rate of five dollars per motor vehicle (the “MVL Tax”) on all motor vehicles the district of registration of which is located in the unincorporated area of the township for the following purposes: for the purpose of paying the costs and expenses of enforcing and administering the tax provided for in the Statute; paying for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment; for paying any costs apportioned to the township under Section 4907.47 of the Ohio Revised Code; and supplementing revenue already available for such purposes; and

Whereas, the MVL Tax upon the operation of motor vehicles on the public roads and highways in the unincorporated territory of the Township is levied pursuant to the Statute for the authorized purposes stated herein; and

WHEREAS, prior to considering passage of a resolution to levy the MVL Tax as aforesaid, the Statute requires that the board of township trustees shall conduct two public hearings on the question of levying a MVL Tax, with the second hearing being conducted not less than three days but not more than ten days after the first hearing; and

WHEREAS, the Statute requires that the board of township trustees shall provide notice of the date, time and place of both hearings by publication as provided in the Statute; and

WHEREAS, due notice was given as required by the Statute prior to holding two public hearings, which were held on May 14, 2020 and on May 21, 2020, per the notices;

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

May 29, 2020

Section 1. That this Board hereby determines that it is in the best interest of the Township to levy, and this Board hereby levies, the MVL Tax pursuant to the Statute at the rate of five dollars per motor vehicle per annum on all motor vehicles the district of registration of which is located in the unincorporated area of the Township, said MVL Tax being levied for the following purposes: for the purpose of paying the costs and expenses of enforcing and administering the tax provided for in the Statute; paying for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment; for paying any costs apportioned to the township under Section 4907.47 of the Ohio Revised Code; and supplementing revenue already available for such purposes; provided, that pursuant to Section 4504.201 of the Ohio Revised Code, no commercial car that is taxed under Section 4503.65 (A) of the Ohio Revised Code, and no commercial bus that is taxed under Section 4503.65(B) of the Ohio Revised Code, shall be subject to the MVL Tax levied hereby. In addition, the exemptions provided in subsection (A)(1)(b) of the Statute shall be applicable.

Section 2. In accordance with Sections 4504.09 and 4501.043 of the Ohio Revised Code, upon receipt by the Hamilton County Auditor of moneys pursuant to Section 4501.043 of the Ohio Revised Code, the Hamilton County Auditor shall pay into the treasury of the Township the portion of the MVL Tax due the Township as shown by the certificate of the registrar of motor vehicles prepared pursuant to Section 4501.031 of the Ohio Revised Code; whereupon, the money shall be used by the Township only for the purposes described herein.

Section 3. That this Resolution shall be effective on the thirtieth day following its passage, as of which date if no referendum is sought by the voters, the MVL Tax shall be effective and the MVL Tax shall continue in effect until repealed.

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

Section 5. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted hereby.

There was no further discussion.

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

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

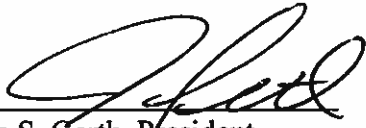
There was no further discussion.



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
May 29, 2020

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

These minutes were approved at the meeting of August 20, 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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 29<sup>th</sup> day of May, 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 20<sup>th</sup> day of August, 2020.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 4, 2020

The Board of Township Trustees of Anderson Township (“Board”) held its regular Interim Workshop Meeting on June 4, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the June 4, 2020, meeting of the Anderson Township Board of Trustees. She stated that due to the declared state of emergency in the nation, in Ohio and in the Township, and the Order of the Director of the Ohio Department of Health issued March 12, 2020, in response to the COVID-19 emergency, the meeting was being convened telephonically with video option. The agenda for the meeting was available on the Township’s website. At each of the Board meetings attendees were encouraged to complete a sign-in sheet which included name and address. She encouraged participants to electronically sign-in by sending an email to Molly Mohrfield at [mmohrfield@andersontownship.org](mailto:mmohrfield@andersontownship.org). She identified the elected officials that were present which included Trustee Chair Josh Gerth, Trustee Vice Chair Dee Stone, Trustee Andrew Pappas and Fiscal Officer Ken Dietz. Other personnel were joining in the meeting via telephone or video including Assistant Administrator for Human Resources Suzanne Parker, Assistant Administrator for Operations Steve Sievers, Law Director Margaret Comey, Planning and Zoning Director Paul Drury, Hamilton County Sheriff’s Dan McElroy, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl and Administrative Assistant Molly Mohrfield, who was recording the meeting and preparing minutes. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

**Mrs. Stone** called the meeting to order.

**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**, absent; **Mrs. Stone**, yes; **Mr. Pappas**, yes.

**Mrs. Stone** asked for a moment of silence for George Floyd.

At 2: 02 p.m. Trustee Chair Josh Gerth joined the meeting.

**TRUSTEES/FISCAL OFFICER**

Appropriation Changes –

**Resolution 20-0604-01: Mrs. Stone** moved to approve the appropriation changes within the same fund as detailed by **Mr. Dietz** and as follows. **Mr. Pappas** seconded the motion.

**Appropriation Change Within Same Fund**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 4, 2020

**GENERAL**

**01.1600.02    +\$ 3,000    Recreation – Improvement Sites**  
**01.1600.08    - \$ 3,000    Recreation – Other Expenses**

There was no further discussion.

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

**DISCUSSION ITEMS**

Nuisance Abatement, 6083 Salem Road –

**Resolution 20-0504-02: Mrs. Stone moved to adopt a resolution providing for the removal of unsafe structure on land owned by Jackson Holdings Inc. and located at 6083 Salem Road, Anderson Township, Ohio 45230, pursuant to Section 505.86 of the Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 - 0504 - 02**

**RESOLUTION PROVIDING FOR THE REMOVAL OF UNSAFE STRUCTURE  
ON LAND OWNED BY JACKSON HOLDINGS INC AND LOCATED AT 6083  
SALEM ROAD, 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 securance 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 Anderson Township Fire and Rescue Department (the “Department”) is responsible fire and rescue operations in Anderson Township, including the performance of inspections and enforcement of fire and safety regulations in Anderson Township; and

WHEREAS, the residential structure (the “Structure”) located at 6083 Salem Road, Anderson Township, Ohio 45230 (further identified as Hamilton County Auditor’s Parcel No. 500-0411-0169-00) (the “Property”), which was damaged by fire on August 31, 2019, was deemed by the Department’s Assistant Fire Chief on June 2, 2020, to be “unsafe and structurally defective”; and

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 4, 2020

WHEREAS, on August 31, 2019, Aman Holdings LLC was the record owner of the Property, but on January 15, 2020, Aman Holdings LLC conveyed the Property to Jackson Holdings Inc., the owner of record of the Property and Structure (the "Owner"); and

WHEREAS, the Township's Planning and Zoning Director has communicated with a member of the Owner regarding the failure of Owner to secure and demolish the Structure and Owner's lack of progress in obtaining a demolition permit relating to the Structure, which to date has not been obtained; and

WHEREAS, the last known mailing address of the Owner is 145 Claudia Street, Natchitoches, LA 71457;

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, 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.

June 4, 2020

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; Mrs. Stone, yes; Mr. Pappas, yes.**

Nuisance Abatement, 789 Laverty Lane, Marlene Jones –

**Resolution 20-0604-03: Mr. Pappas moved to adopt a resolution determining existence of nuisance on land owned by Uppercase Properties LLC, located at 789 Laverty Lane, in Anderson Township, and providing for notice and remediation pursuant to Ohio Revised Code Section 505.87 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0604-03**

**RESOLUTION DETERMINING EXISTENCE OF  
NUISANCE ON LAND OWNED BY UPPERCASE  
PROPERTIES LLC, LOCATED AT 789 LAVERTY LANE,  
IN ANDERSON TOWNSHIP, AND PROVIDING FOR  
NOTICE AND REMEDIATION PURSUANT TO OHIO  
REVISED CODE 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.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 4, 2020

Section 2. If the owner of the land upon which the nuisance is located is determined by the Planning and Zoning Department (the "Department") to be a resident of the Township or a nonresident whose address is known, the Department 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 owner's address is unknown and cannot reasonably be obtained, the Department shall cause such notice to be published once in a newspaper of general circulation in the Township.

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 Township Administrator, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, and 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. 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; Mrs. Stone, yes; Mr. Pappas, yes.**

COVID-19 Update – **Mrs. Earhart** stated that she had a conference call with Dr. Steve Feagins and the question came up about how the Township and the region was fairing with the COVID-19 pandemic. Dr. Feagins informed her that over the last week there had been an uptick in the number of cases, and he believed it was attributed to the opening of the State. The factor that determined how many people contract the virus and then spread the virus was at 1.89 and rising. Health officials would like for it to be at 1 or less, at one point it was at 2.2, it was now down to less than 1. Dr. Feagins reported that there had been 4 deaths in the area due to COVID-19 but the numbers were going in the right direction, things were leveling off and starting to decline and Anderson had not been impacted as some other areas. Hamilton County still remained third in the State as far as the number of COVID-19 cases.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 4, 2020

Mrs. Earhart stated that Anderson Center was now opening up to certain types of events that were permitted by the State, such as funerals and wedding receptions. The first large event to be held at Anderson Center was a wedding scheduled for mid-July, and it was anticipated that procedures would still be in place as far as social distancing, and masks. Through the month of June staff were continuing to work remotely as much as possible. Each department was attempting to rotate staff in and out of the office to reduce the potential for exposure. Mrs. Stone asked what were the number of people that could attend weddings. Mrs. Earhart responded that the limit mandated by the State on wedding receptions were 300 guests, however, the rules stated that there must be six feet of distance between tables, the tables could not seat more than ten people, and food had to served, no buffets. With those regulations Anderson Center maximum capacity would be 75.

**Mr. Gerth moved to retire to Executive Session to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2). Mr. Pappas seconded the motion.**

There was no further discussion.

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

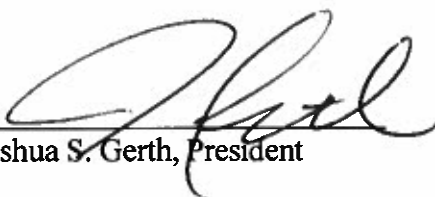
**Mr. Gerth moved to return from Executive Session. Mr. Pappas seconded the motion.**

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 20, 2020.

  
Joshua S. Gerth, President

  
Kenneth G. Dietz, Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 4, 2020

**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 4<sup>th</sup> day of June 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 20<sup>th</sup> day of August, 2020.



Kenneth G. Dietz  
Fiscal Officer



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 9, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held a duly announced special meeting on June 9, 2020, at 4:00 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the June 9, 2020, Special Meeting of the Anderson Township Board of Trustees. She announced that due to the declared state of emergency in the nation, in Ohio and in the Township, and the Order of the Director of the Ohio Department of Health issued March 12, 2020 in response to the COVID-19 emergency, this meeting was being convened telephonically.

She identified the elected officials that were participating in this meeting including:

- Trustee Chair Josh Gerth
- Trustee Vice Chair Dee Stone
- Trustee Andrew Pappas
- Fiscal Officer Ken Dietz
- 

Other personnel were joining in the meeting via phone including:

- Assistant Administrator for Operations Steve Sievers
- Assistant Administrator for Human Resources Suzanne Parker
- Public Works Director Eric Luginbuhl
- Administrative Assistant Molly Mohrfield who was recording the meeting and would be preparing minutes

She turned the proceedings over to Trustee Vice Chair Dee Stone.

**Mrs. Stone** called the meeting to order and asked everyone to join her in the Pledge of Allegiance.

**Mrs. Stone moved to adopt the agenda. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**Mrs. Stone moved to retire to Executive Session to consider the discipline of a public employee as permitted by Ohio Revised Code Section 121.22(G)(1). Mr. Pappas seconded the motion.**

There was no further discussion.

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

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 9, 2020

There was no further discussion.

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

Items Arising from Executive Session –

**Resolution 20-0609-01: Mrs. Stone moved to uphold Township Administrator Earhart's decision calling for Jeffrey Hucker's immediate dismissal, or termination from employment with Anderson Township. Mr. Pappas seconded the motion.**

There was no further discussion.

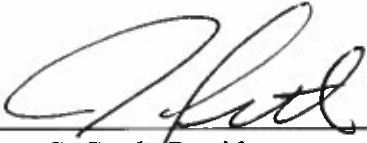
**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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

There was no further discussion.

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

These minutes were approved at the meeting of August 20, 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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 9<sup>th</sup> day of June, 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 20th day of August, 2020.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*June 18, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on June 18, 2020, at 5:30 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the June 18, 2020, meeting of the Anderson Township Board of Trustees. She announced that due to the declared state of emergency in the nation, in Ohio and in the Township and the Order of the Director of the Ohio Department of Health issued March 12, 2020, in response to the COVID-19 emergency, this meeting was being convened telephonically. The agenda for the meeting was available on the Township’s website at [www.andersontownship.org](http://www.andersontownship.org). The Board would accept comments via phone during the Public Hearings for Case 2-2020 and the Annual Motor Vehicle License Tax, as well as Public Forum, which appeared later in the agenda. She asked that all participants “mute” their phones and only “unmute” if speaking and speak directly into the phone as opposed to using the speaker feature.

At each of the Board meetings, attendees were encouraged to complete a sign-in sheet including their name and address. Mrs. Earhart informed participants that they could electronically “sign-in” by simply send an email to [Mmohrfield@andersontownship.org](mailto:Mmohrfield@andersontownship.org).

She identified the elected officials that were participating in this meeting including:

- Trustee Chair Josh Gerth
- Trustee Vice Chair Dee Stone
- Trustee Andrew Pappas
- Fiscal Officer Ken Dietz

Other personnel were joining in the meeting via phone including:

- Assistant Administrator for Human Resources Suzanne Parker
- Assistant Administrator for Operations Steve Sievers
- Planning and Zoning Director Paul Drury
- Planner 1 PJ Ginty
- Hamilton County Sheriff’s Lt. Dan McElroy
- Fire Chief Rick Martin
- Public Works Director Eric Luginbuhl
- Fiscal Office Manager Debbie Hucker and
- Administrative Assistant Molly Mohrfield who was recording this meeting and would be preparing minutes

She stated that each of them would do their best to remember to state their name before beginning to speak so that those joining in via phone could follow along. She thanked everyone for joining in and appreciated their patience and understanding during these unprecedented times.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*June 18, 2020*

She turned the proceedings over to Trustee Chair Josh Gerth.

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2). Mr. Pappas seconded the motion.**

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

**Mr. Gerth called the meeting to order and asked everyone to join him in the Pledge of Allegiance.**

**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.**

Moment of Silence in Recognition of John Cissell – **Mr. Gerth** asked for a moment of silence for John Cissell who unexpectedly passed away. **Mr. Pappas** stated that John served as a member of the Transportation Advisory Committee (TAC) since 2013. His children attended Sherwood Elementary, and his participation on the Transportation Advisory Committee was spent helping identify transportation improvements that could be made to Sherwood Elementary, in addition to participating in updating the Anderson Trails Plan. John had a history in construction and worked for Turner Construction as a Project Manager. His experience in construction, along with his considerable participation on TAC, would be sincerely missed. His seven years of commitment and dedication to TAC was greatly appreciated and thoughts and prayers were with the Cissell family.

#### **PRESENTATIONS AND RECOGNITIONS**

Sarah Donovan Graduation – **Mr. Drury** congratulated Sarah Donovan who recently completed her masters from Penn State University, while working full time. **Ms. Donovan** thanked both the Trustees and staff for affording her the opportunity to further her education.

#### **PUBLIC FORUM**

**Kathy Mullaney, 7609 Forest Road**, stated that she had addressed the Trustees several times regarding the speeding on Forest Road and pointed out that it was getting worse. She asked if the Sheriff's Department could address it, once again. **Lt. McElroy** replied that he would put some extra patrols in the area. He would talk with Officer Rusk regarding the history and see if the radar sign was used in that area, and what the findings were.

**Ms. Mullaney** asked what could be done when trees were not trimmed/maintained between properties. **Mr. Sievers** stated that was a civil matter between property owners. Property

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 18, 2020*

owners could attempt to work the issue out or obtain legal counsel to advise them. He noted that this was not a Township issue unless there was a noxious weed situation.

**Ms. Mullaney** asked what the regulations were regarding open burning of landscaping debris. **Chief Martin** replied that there were provisions to regulate the size of fires and that was related to the use. He suggested calling the Fire Department when it was occurring, and they would deal with it appropriately.

**Mr. Sievers** added that a speed trailer was placed in the vicinity of 7609 Forest Road in November 2017. The posted speed limit was 35 mph in either direction and the average speed of traffic north bound was 29.8 miles per hour, and 32.9 south bound.

### **TRUSTEE COMMENTS**

#### **FISCAL OFFICER**

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

#### Set Public Hearing for 2021 Preliminary Tax Budget –

**Resolution 20-0618-01:** Mrs. Stone moved to set a Public Hearing for Anderson Township's 2021 Preliminary Tax Budget for Thursday, July 16, 2020, beginning at 5:30 PM. If the Governor's (COVID-19 related) Stay At Home Order is still in effect on the date of a public hearing, that public hearing will be convened telephonically and not in person at Anderson Center and will be open to the public by means of calling conference telephone line: 1-408-418-9388, and entering access code 790 121 731 (with no password). To join by video visit [www.AndersonTownship.org](http://www.AndersonTownship.org) to access a link and access code. Mr. Pappas seconded the motion.

There was no further discussion.

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

#### Minutes –

**Resolution 20-0618-02:** Mr. Pappas moved to approve the minutes of May 7, 2020; and May 14, 2020; with minor corrections. 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**

A Resolution Approving a Second Amendment to the Anderson Center Station Redevelopment Agreement and Ratifying the Action Taken by the Township Administrator in Executing Said First Amendment –

**Resolution 20-0618-03: Mr. Pappas moved to adopt a resolution approving a second amendment to the Anderson Center Station Redevelopment Agreement and ratifying the action taken by the Township Administrator in executing said second amendment as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0618-03**

**A RESOLUTION APPROVING A SECOND AMENDMENT TO THE ANDERSON CENTER STATION REDEVELOPMENT AGREEMENT AND RATIFYING THE ACTION TAKEN BY THE TOWNSHIP ADMINISTRATOR IN EXECUTING SAID SECOND AMENDMENT.**

**WHEREAS**, by Resolution No. 19-1219-07 this Board approved and authorized the execution on behalf of the Board of that certain Anderson Center Station Redevelopment Agreement (the “Original Agreement”) by and between the Township, acting by and through this Board, and HP Acquisitions, LLC (the “Developer”), which Original Agreement was amended by a First Amendment dated as of March 20, 2020, by and between the Township, acting by and through the Board, and the Developer (the “First Amendment”); and

**WHEREAS**, to permit additional time for review and agreement as to the substantial form of those agreements described in Section 2E of the Original Agreement as amended by the First Amendment and in light of the declarations of emergency due to the COVID-19 pandemic by the President of the United States, by the Governor of Ohio, and by this Board (the “Declarations”), which Declarations are deemed hereby to constitute good cause shown, this Board and the Developer have agreed to an extension of the term of DDP-Phase I (as defined in the Original Agreement as amended by the First Amendment) from June 18, 2020 to July 24, 2020; and

**WHEREAS**, the Original Agreement as amended by the First Amendment provides that the Developer and the Board may extend the term of DDP-Phase I in a writing signed by both Parties for good cause shown as determined in the sole discretion of the Board;

**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 additional time is needed to permit adequate review and agreement as to the substantial form of those agreements described in Section 2E of the Original Agreement as amended by the First Amendment and that the Declarations represent good cause for an additional extension of the term of the DDP-Phase I from June 18, 2020 to July 24, 2020; that the form of Second Amendment to Anderson Center Redevelopment Agreement dated as of June 18, 2020 (the “Second Amendment”) memorializing said extension

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

presented to this Board is hereby approved; that the action of the Township Administrator in signing the Second Amendment is hereby ratified; and that the Original Agreement as amended by the First Amendment and the Second Amendment shall constitute the Anderson Center Station Redevelopment Agreement as of the Effective Date of the Second Amendment.

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; Mrs. Stone, yes; Mr. Pappas, yes.**

**PLANNING & ZONING**

Paddison Road Sidewalk – ODOT Agreement –

**Resolution 20-0618-04: Mrs. Stone moved to enter into an agreement with the Ohio Department of Transportation (ODOT), allowing the Township to move forward with the necessary next steps later this year for construction, which will likely occur in late 2021. Mr. Pappas seconded the motion.**

There was no further discussion

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

Salem Road Nuisance Abatement Update – **Mr. Drury** explained that the subject property was the house damaged by fire in late August 2019. He was happy to report that the house had been demolished on June 8<sup>th</sup>. Though, there were still things that needed to be done to clear the property, progress was being made. **Mrs. Stone** asked when the debris was going to be removed. **Mr. Drury** responded he did not know but would follow up with owner to stress the importance of completing the demolition.

Census Response Rate – **Mr. Ginty** reported that the Township, to date, had an 81.6% response rate to the 2020 Census, thus ranking it first among townships in Southwest Ohio. The Township was ranked 23<sup>rd</sup> in Ohio and ranked 12<sup>th</sup> in Ohio with internet responses. The deadline to respond had been extended to October 31<sup>st</sup> so there was still time for residents to self-respond.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

Mr. Ginty gave an update on other neighboring townships and jurisdictions. Hamilton County was at 71.1%, the City of Cincinnati was at 51.2%, Union Township was at 72% and Pierce Township was at 75%. He wanted to thank the Hamilton County Public Library, Anderson Area Chamber of Commerce and the Forest Hills School District for helping spread the message about the importance of completing the Census. **Mrs. Stone** asked if the Census was still being promoted. **Mr. Ginty** replied that the Census information was posted on social media once or twice a week from March until the beginning of June. He pointed out there were approximately 5% of Township households that were unoccupied.

**SHERIFF'S OFFICE**

**Lt. McElroy** had nothing requiring Board action.

**PUBLIC WORKS DEPARTMENT**

Paving Update – **Mr. Luginbuhl** stated Adleta Construction was working in Turpin Hills at the present time. They were tearing out and replacing approximately 600 to 1,000 feet of curb a day. A second crew had started in the Pinehurst Subdivision and were progressing as well. The 2020 pavement management program with Strawser Construction was completed. Pavement Technologies was starting the pavement rejuvenation on all the streets that were paved in 2019.

**FIRE AND RESCUE DEPARTMENT**

**Chief Martin** had nothing requiring Board action.

**ADMINISTRATION**

King Louis Court –

**Resolution 20-0618-05:** **Mrs. Stone** moved to adopt a resolution authorizing the disposition of real property located at 7887 Beechmont Avenue, in the Township, pursuant to Section 505.10(A)(6) of the Revised Code; approving a real property purchase and sale agreement with ARS Property Acquisitions, LLC, with respect thereto, and authorizing the execution and delivery of said agreement as follows; **Mr. Gerth** seconded the motion:

**RESOLUTION NO. 20-0618-05**

**A RESOLUTION AUTHORIZING THE DISPOSITION OF REAL PROPERTY LOCATED AT 7887 BEECHMONT AVENUE, IN THE TOWNSHIP, PURSUANT TO SECTION 505.10(A)(6) OF THE REVISED CODE; APPROVING A REAL PROPERTY PURCHASE AND SALE AGREEMENT WITH ARS PROPERTY ACQUISITIONS, LLC, WITH RESPECT THERETO, AND AUTHORIZING THE EXECUTION AND DELIVERY 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



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

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**, the Township owns approximately 0.49 acres of real property located at 7887 Beechmont Avenue, in the Township, and identified as Hamilton County Auditor's Tax ID Parcel No. 0500-0203-0126 (the "Property"); and

**WHEREAS**, ARS Property Acquisitions, LLC, an Ohio limited liability company ("ARS"), has expressed its desire to purchase the Property from the Township for the purchase price of ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000), pursuant to and on the terms and conditions set forth in the Real Property Purchase and Sale Agreement (the "Purchase Agreement") before this Board; and

**WHEREAS**, this Board hereby determines that it is in the best interests of the Township and its residents to convey the Property to ARS pursuant to the Purchase Agreement, as the same may be revised in accordance with this Resolution;

**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 Property to ARS at a Purchase Price of not less than ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000) and otherwise on the terms and conditions set forth in the Purchase Agreement, the substantial form of which Purchase Agreement is hereby approved. Further, this Board authorizes the Township Administrator to execute and deliver the Purchase Agreement on its behalf and on behalf of the Township, with such changes thereto as she may determine, after consultation with the Law Director, not to be disadvantageous to the Township, such determination being conclusively evidenced by her execution of the Purchase Agreement. The Township Administrator is further authorized to execute all documents and instruments as she deems, after consultation with the Law Director, to be necessary and appropriate to effectuate the disposition of the Property, such determination being conclusively evidenced by her execution thereof.

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.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

There was no further discussion

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

COVID-19 Update – Mrs. Earhart stated that Governor DeWine spoke earlier in the day and one of things that he labeled as worrisome was the increase in COVID-19 cases. There had been an increase of 700 reported cases in the past 24 hours, which was well above the 21-day average of 438 cases. It pointed to Southwest Ohio as the areas that were of the most concern including Hamilton County. The zip code within Hamilton County where significant upticks had been seen were 45231 Springfield Township, 45240 Forest Park, and 45236 which was a part of Blue Ash, Kenwood and Deer Park. The Governor was working to increase testing throughout the State especially in the areas that were seeing an increase in cases. He encouraged people to take precautions as things were beginning to open.

Staff has been receiving calls regarding rentals, which were currently on hold, due to Ohio's mass gathering ban of no more than 10 people in one place, at one time, which was still in effect. The Governor's guidance regarding events was unclear; therefore, she has reached out to Hamilton County Public Health to obtain clarification. She was attempting to figure out the best and safest way for all of the Townships public meetings to resume. Staff was continuing to work from home as much as possible but ensuring that each department had coverage at Anderson Center each day.

With regard to the CARES Act Funding there had been some movement with the State Legislature. Hamilton County had announced that they had some CARES Act Funding that would be coming to each municipality. The resolution on the agenda this evening would authorize a request for the Township's share of that funding. She pointed out that there were a number of questions regarding the various funding sources that were available, and understandably the State of Ohio, the Federal Government, and Hamilton County want to ensure that multiple dollars were not received for the same purchase, so there were provisions in each of the funding sources.

Resolution Requesting Anderson Township's Share of Funds from Hamilton County Coronavirus Relief Fund Distribution –

**Resolution 20-0618-06: Mrs. Stone moved to adopt a resolution requesting Anderson Township's share of funds from the Hamilton County Coronavirus Relief Fund distribution as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0618-06**

**RESOLUTION REQUESTING ANDERSON TOWNSHIP'S SHARE OF FUNDS FROM THE HAMILTON COUNTY CORONAVIRUS RELIEF FUND DISTRIBUTION**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS**, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in Senate Bill 310 of the 133<sup>rd</sup> General Assembly (SB 310); and

**WHEREAS**, SB 310 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, Anderson Township is requesting its share of funds from the Hamilton County Coronavirus Relief Distribution Fund.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Trustees of Anderson Township affirms that all funds received from the Hamilton County Coronavirus Relief Distribution Fund pursuant to SB 310 be expended only to cover costs of the Township consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Anderson Township’s most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**FURTHERMORE**, in compliance with SB 310, be it resolved by the Board of Trustees of Anderson Township that the Anderson Township Fiscal Officer take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the Anderson Township’s local coronavirus relief fund to the Hamilton County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in the Anderson Township’s local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and

Provide any information related to any payments received under SB 310 to the Director of the Ohio Office of Budget and Management as requested

There was no further discussion

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

Resolution Authorizing the Execution of an Agreement with Cincinnati Area Senior Services –

**Resolution 20-0618-07: Mr. Pappas moved to adopt a resolution authorizing the execution of an agreement with Cincinnati Area Senior Services as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0618-07**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH  
CINCINNATI AREA SENIOR SERVICES**

WHEREAS, boards of township trustees are authorized, pursuant to Section 505.70(b) of the Revised Code, among other things, to participate in and cooperate with public and nonprofit private agencies and organizations in establishing and operating programs to provide necessary social services to meet the needs of older persons; and

WHEREAS, Cincinnati Area Senior Services, an Ohio nonprofit organization (“CASS”), and this Board desire to enter into an agreement pursuant to which CASS will provide adequate social services, home delivered meals, congregate meals and transportation (the “Services”) to seniors 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 enter into an agreement with CASS in substantially the form attached hereto as Exhibit A and by this reference made a part hereof (the “Agreement”), pursuant to which CASS will provide the Services to seniors in the Township.

SECTION 2. That the Township Administrator is hereby authorized to execute the Agreement in substantially the form attached hereto as Exhibit A, 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.

SECTION 3. That the preambles hereto are and shall be deemed to be for all purposes integral 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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

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; Mrs. Stone, yes; Mr. Pappas, yes.**

Items Arising from Executive Session –

**Resolution 20-0618-08: Mr. Pappas moved to adopt a resolution authorizing the disposition of real property described herein pursuant to Section 505.10(A)(6) of the Revised Code and appointing and authorizing the execution and delivery of an easement agreement, a parking space usage and release of liability agreement and a parking garage usage and release of liability agreement and a parking garage usage and release of liability agreement in connection with said disposition as follows; Mrs. Stone seconded the motion:**

**RESOLUTION No. 20-0618- 08**

**A RESOLUTION AUTHORIZING THE DISPOSITION OF REAL PROPERTY DESCRIBED HEREIN PURSUANT TO SECTION 505.10(A)(6) OF THE REVISED CODE AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT AGREEMENT, A PARKING SPACE USAGE AND RELEASE OF LIABILITY AGREEMENT AND A PARKING GARAGE USAGE AND RELEASE OF LIABILITY AGREEMENT IN CONNECTION WITH SAID DISPOSITION.**

WHEREAS, this Board deems it to be in the best interest of the Township and its residents to provide for alternative parking for Park and Ride users of Anderson Center Station parking facilities during the construction period of the Vantage development on the current site of Anderson Center Station until such time as the new parking facilities to be provided within the Vantage development (the “Public Improvements”) are available for public use; and

WHEREAS, Township staff and HP Acquisitions, LLC, an Ohio limited liability company (“HP”), have been in discussion with Anderson Centre, LLC, an Ohio limited liability company and owner of certain real property to the south of Anderson Center Station (“ACL”) regarding the creation of an easement over the Anderson Center Station parcel required by ACL in order to permit ACL to connect its facilities to certain public sewage system facilities; and

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;

**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:**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

June 18, 2020

SECTION 1. This Board hereby determines that it is in the best interest of the Township and its residents to authorize the disposition or grant of an interest in its real property on which Anderson Center Station is located (the "Property"), comprised of an easement in favor of Anderson Centre, LLC, as described in that certain Sanitary Sewer Easement Agreement (the "Easement Agreement"), by and between this Board and ACL. The form of the Easement Agreement is hereby approved and the Township Administrator is hereby authorized to execute and deliver the Easement Agreement substantially in the form presented to this Board with only such changes thereto as shall not, in her opinion, after consultation with the Law Director, be materially adverse to the Township, such determination being evidenced by her execution of the Easement Agreement. The foregoing authority to execute and deliver the Easement Agreement shall be conditioned upon the Township Administrator first receiving from ACL the agreements described in Section 2 and Section 3 hereof in fully executed form, said agreements constituting consideration to the Township for its willingness to enter into the Easement Agreement.

SECTION 2. The form of the Parking Space Usage and Release of Liability Agreement, by and among this Board, ACL and TriHealth, Inc. (the "Parking Space Use Agreement") as presented to this Board is hereby approved and the Township Administrator is hereby authorized to execute and deliver the Parking Space Use Agreement substantially in the form presented to this Board with only such changes thereto as shall not, in her opinion, after consultation with the Law Director, be materially adverse to the Township, such determination being evidenced by her execution of the Parking Space Use Agreement.

SECTION 3. The form of the Parking Garage Usage and Release of Liability Agreement (the "Parking Garage Use Agreement") as presented to this Board is hereby approved and the Township Administrator is hereby authorized to execute and deliver the Parking Garage Use Agreement substantially in the form presented to this Board with only such changes thereto as shall not, in her opinion, after consultation with the Law Director, be materially adverse to the Township, such determination being evidenced by her execution of the Parking Garage Use Agreement.

SECTION 4. Any resolution of this Board relating to the Easement Agreement previously passed by this Board is hereby repealed.

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.

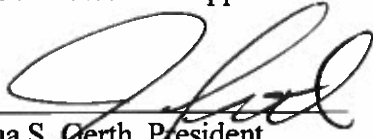
ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 18, 2020

There was no further discussion

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of August 20, 2020.

  
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Joshua S. Gerth, President

  
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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 18th day of June 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 20th day of August, 2020.

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