

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

January 16, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on January 16, 2020 at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

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

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

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

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

There was no further discussion.

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

## PRESENTATIONS AND RECOGNITIONS

Downtown Anderson Plan Merit Award – **Mr. Sievers** announced that Cincinnati's design community awarded the Downtown Anderson Plan a "Merit Award" for implementation of community planning and landscape architecture for the recent streetscape upgrades on Beechmont Avenue.

Announcement of Ohio Township Day – February 1<sup>st</sup> – **Mrs. Earhart** stated that the Ohio Revised Code and the State Legislature set aside the first February in each year as Ohio Township Day in recognition of township trustees, fiscal officers, and staff.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*March 19, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on March 19, 2020 at 5:30 p.m., in the Emergency Operations Center, at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the March 19, 2020, meeting of the Anderson Township Board of Trustees. Protecting the health and safety of the residents had always been the Township’s mission. That mission had taken on even more relevance considering the COVID19 Pandemic and for that reason the decision was made to conduct the public meeting telephonically. The agenda for the meeting was available on the Township’s website. She pointed out that there would be no public forum due to the telephonic nature of the meeting, and only time sensitive business would be conducted by the Board. At each of the Board meetings attendees were encouraged to complete a sign-in sheet, which included name and address. If at some point during or after the meeting anyone would like to electronically sign-in they could simply send an email to Molly Mohrfield at [mmohrfield@andersontownship.org](mailto:mmohrfield@andersontownship.org).

She identified the elected officials that were participating in this meeting, in person using social distancing practices, 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
- Law Director Margaret Comey
- 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 thanked everyone for joining in and appreciate their patience and understanding during these unprecedented times.

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the purchase of property for public purposes as permitted by Ohio Revised Code Section 121.22(G)(2). Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.**

**Mr. Gerth** 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; Ms. Stone, yes; Mr. Pappas, yes**

Oath of Office – **Mr. Gerth** administered the oath of office to re-elected Township Fiscal Officer Ken Dietz.

### **TRUSTEE COMMENTS**

Resolution Overturning Zoning Commission Decision in Case 7-2019 PUD –

**Resolution 20-0319-01: Mrs. Stone moved to adopt a resolution overturning Zoning Commission decision in Case 7-2019 PUD as follows; Mr. Pappas seconded the motion:**

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### **RESOLUTION NO. 20-0319-01**

#### **RESOLUTION OVERTURNING ZONING COMMISSION DECISION IN CASE 7-2019 PUD**

WHEREAS, in Case 7-2019 PUD, the Anderson Township Zoning Commission (the “Zoning Commission”) heard an application, filed by Nicholas J. Selhorst, ChoiceOne Engineering, on behalf of Homes By Coach, Robert Gerwin & Varley LLC, Patricia L Murray TR and Susan R Beckman TR, property owners, of 5531 & 5431 Clough Pike and 2691 & 2675 Elstun Road (Book 500, Page 440, Parcel 32 and 34), containing 32.625 acres, for a modification to the Anderson Township Zoning Map to “A PUD” and “C PUD” (Residence, Planned Unit Development), the hearing of which was held on June 24, 2019, September 23, 2019, and October 28, 2019; and

WHEREAS, as a result of the October 28, 2019 meeting, the Zoning Commission voted to approve the PUD application, and;

WHEREAS, the Zoning Commission’s decision to approve the PUD was appealed to the Board of Township Trustees pursuant to Anderson Township Zoning Resolution, §4.1.J.1, and:

WHEREAS, following briefing by the respective parties to the appeal, the parties argued the appeal to this Board on February 27, 2020, after which the Board deliberated on the case and then approved Resolution No. 20-0227-01, directing staff to prepare a Resolution overturning the Zoning Commission decision;

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

Mercy Health – Anderson Hospital Update – Dr. Steve Feagins – Mr. Gerth introduced Dr. Feagins. **Dr. Feagins** pointed out that the Township was within two hours of over 500 medical school graduates. The Accreditation Council for Graduate Medical Education (ACGME) was looking to open up opportunities for more graduate education in the areas of primary care and other primary care specialties. It had been over 40 years since a new graduate medical education program had been started in the area. Therefore, in partnership with the University of Cincinnati, and the Ohio State University, Mercy Anderson would be applying for an application to the ACGME for four residency programs, which would bring, over the next five years, approximately 60 new physician trainees, plus 20 faculty. The residencies that Mercy Anderson would be submitting for were family medicine, emergency medicine, level three trauma, psychiatry, ophthalmology, and neurology. The outpatient facility would be located on the first floor of the medical office building and would become a Center of Excellence.

## **PUBLIC FORUM**

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

## **TRUSTEE COMMENTS**

### **FISCAL OFFICER**

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

### Minutes –

**Resolution 20-0116-01: Mr. Pappas moved to approve the minutes of October 3, 2019; October 17, 2019, November 7, 2019, November 21, 2019; December 2, 2019; December 5, 2019 at 10 a.m.; December 5, 2019; and December 9, 2019; 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.**

**Resolution 20-0116-02: Mr. Pappas moved to approve the minutes of December 11, 2019, with minor corrections. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**Resolution 20-0116-03: Mr. Gerth moved to approve the minutes of December 13, 2019, with minor corrections. Mrs. Stone seconded the motion.**

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There was no further discussion.

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

**LAW DIRECTOR**

**Mrs. Comey** had nothing requiring Board action.

**PLANNING & ZONING**

Set Public Hearing for Case 1-2020 Anderson – Various Text Amendments to the Zoning Resolution –

**Resolution 20-0116-04: Mr. Pappas made a motion to set a public hearing for Thursday, February 27, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for the purpose of hearing Case #1-2020 Anderson. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**SHERIFF'S OFFICE**

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

**PUBLIC WORKS DEPARTMENT**

Agreement with Choice One Engineering for Copperglow Court Culvert Lining –

**Resolution 20-0116-05: Mrs. Stone moved to authorize Public Works to enter into agreement with Choice One Engineering to provide engineering services to design a plan for the Copperglow culvert pipe. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**FIRE & RESCUE**

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

**ADMINISTRATION**

Electricity Aggregation –

**Resolution 20-0116-06: Mr. Pappas moved to authorize the Township Administrator to renew the Anderson Township Electric Aggregation Program and by utilizing Energy Alliances, Inc. negotiate a renewal rate with Dynegy Energy Solutions. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Clough Pike Engineering –

**Resolution 20-0116-07: Mrs. Stone moved to authorize the Township Administrator, after consultation and review by the Law Director, to enter into agreement with Stantec Consulting, Inc., for engineering services for the Clough Pike corridor, as outlined in the proposal dated January 7, 2020, in the amount of \$74,900, as well as a \$7,500 contingency, using TIF funds encumbered from 2019. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Resolution Approving Entry of Dismissal in the Matter of Board of County Commissioners of Hamilton County, Ohio V. City of Cincinnati, regarding County Water area Contract –

**Resolution 20-0116-08: Mr. Pappas moved to adopt a resolution approving entry of dismissal in the matter of Board of County Commissioners of Hamilton County, Ohio V. City of Cincinnati, Hamilton County Court of Common Pleas Case No. A1804690 and order authorizing and directing attorney to file said entry of dismissal with the court as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0116 – 08**

**RESOLUTION APPROVING ENTRY OF DISMISSAL IN THE MATTER OF BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO V. CITY OF CINCINNATI, HAMILTON COUNTY COURT OF COMMON PLEAS CASE NO. A 1804690 AND ORDER AUTHORIZING AND DIRECTING ATTORNEY TO FILE SAID ENTRY OF DISMISSAL WITH THE COURT**

WHEREAS, the Board of County Commissioners (the “BOCC”) of Hamilton County, Ohio (the “County”) entered into the County Water Area Contract dated July 1, 1987 (also known as the City of Cincinnati-Hamilton County Water Area Contract) (the “Original Contract”), with the City of Cincinnati (the “City”) for the purchase of surplus City water from the Greater Cincinnati Waterworks Utility (“GCWW”) by ratepayers of the GCWW who live and operate

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businesses in the unincorporated territories in the County (“CWA”); and

WHEREAS, residents of and businesses in Anderson Township are provided water service by GCWW pursuant to the Original Contract and are impacted by the rates charged for water service provided to them in Anderson Township under the Original Contract; and

WHEREAS, the Original Contract has been amended from time to time, most recently by the Twelfth Amendment to the County Water Area Contract effective June 28, 2018 (the “Twelfth Amendment”), and the current term of the Original Contract as so amended (the “Contract”) expired on August 31, 2018; and

WHEREAS, the Twelfth Amendment provided, among other things, that the rates for water service payable by ratepayers in the CWA (the “Water Rates”) for the period July 1, 2018 to August 31, 2018 shall remain at 1.33 times the water rates payable by ratepayers within the limits of the City (the “City Rates”); and

WHEREAS, the City proposed to charge the ratepayers in the CWA, including the residents of and businesses in Anderson Township, Water Rates up to 1.43 times the City Rates (as described in the Contract); and

WHEREAS, the BOCC filed an action in the Court of Common Pleas of Hamilton County, Ohio, Case Number A 1804690 (the “Pending Action”), seeking a temporary restraining order and a preliminary and permanent injunction prohibiting the City from changing the rate differential charged to ratepayers in the CWA under the Contract, as amended by the Twelfth Amendment, from expiring until the arbitration process is completed, the Joint Water Task Force fulfills its obligations under the terms of the Contract, and a new County Water Area Contract is negotiated and executed by all parties; and

WHEREAS, as participants in the Contract, the residents of and businesses in Anderson Township have an interest relating to the subject of the Pending Action and the disposition thereof may, as a practical matter, impair or impede Anderson Township’s ability to protect that interest unless the Township is permitted to intervene in the Pending Action; and

WHEREAS, residents of and businesses in Anderson Township will be impacted materially and adversely by the proposed increased Water Rates; and

WHEREAS, the Township joined in a motion to intervene in the Pending Action, and is an Intervening Plaintiff in the Pending Action; and

WHEREAS, settlement has been reached by virtue of Plaintiff and Defendant having entered into an Amended and Restated County Water Area Contract dated December 11, 2019 (the “2019 Contract”), which extends the terms of the Contract through December 31, 2069;

Now therefore, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO (the "Township"), as follows:

SECTION 1. This Board hereby determines that it is in the best interest of the residents of and businesses in the Township to dismiss its Complaint in the Pending Action in light of the settlement of the dispute and the signing of the 2019 Contract by the BOCC and the City.

SECTION 2. This Board hereby authorizes and directs the Law Director, on behalf of the Township, to join in the filing of an Entry of Dismissal in the Pending Action.

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

SECTION 4. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution and Order were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without implied limitation, Section 121.22 of the Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

Appointment of Township Representative to Ohio-Kentucky-Indiana Regional Council of Governments –

**Resolution 20-0116-09: Mrs. Stone moved to appoint Josh Gerth as Anderson Township's Representative to the Board of Directors of the Ohio, Kentucky, Indiana Regional Council of Governments and to appoint Andrew Pappas as alternate. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Resolution Authorizing the Execution of an Ingress/Egress Easement and Access/Maintenance Easement Agreement with One Anderson Place, LLC –

**Resolution 20-0116-10: Mrs. Stone moved to adopt a resolution authorizing the execution of an ingress/egress easement and access/maintenance easement agreement with One Anderson Place, LLC as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0 116 – 10**



**RESOLUTION AUTHORIZING THE EXECUTION OF AN INGRESS/EGRESS  
EASEMENT AND ACCESS/MAINTENANCE EASEMENT 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 Grantor Property; and

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

WHEREAS, this Board hereby determines that entering into that certain Ingress/Egress Easement and Access/Maintenance Easement Agreement, by and between this Board and Grantee, before this Board (the "Easement Agreement") is in the best interests of the Township; and

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 the Easement Agreement in substantially the form attached hereto as Exhibit A and by this reference made a part hereof.

SECTION 2. That the Township Administrator is hereby authorized to execute the 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 Agreement.

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

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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.**

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of April 16, 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 16<sup>th</sup> day of January 2020, and that said minutes have been duly entered upon the Journal of said Township.

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

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
February 27, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on February 27, 2020, at 5:30 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth call the meeting to order and moved to retire to Executive Session to consider the compensation of a public official as permitted by Ohio Revised Code 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), and to review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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

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

**Mr. Gerth moved to adopt the agenda with modifications. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Appeal for Case 7-2019 PUD – **Mr. Gerth** opened the appeal for Case 7-2019 PUD. He explained that this appeal would consist entirely of arguments for and against the Zoning Commission decision, as presented by representatives of both parties, and questions by the Trustees to those individuals. No new evidence could be presented. Both parties would have a total of 10 minutes to argue their positions and may reserve time for rebuttal which would need to be indicated prior to starting the argument. The representative for the developer would then have 10 minutes to argue their position followed by the opposition rebuttal.

**Susan Wheatley, 6104 Clough Pike**, stated that she would like to reserve two minutes. She explained that she lived approximately seventh tenths of a mile from the proposed PUD. The main point that she wanted to make, was what the record reflected, that this property was not sufficient to support the PUD application. The developer came in with a major ask of the residents, elected officials and the Zoning Commission. This had been a tortuous process. There was an application in January, and denied by the Zoning Commission in February. The developers came back with changes, which was heard by the Zoning Commission in June. It was a lengthy hearing and at the end the Zoning Commission deadlocked. It was then brought before the Trustees, who sent it back to the Zoning Commission for review again. In September, the Zoning Commission continued it one more time to give the developer another chance. It came back in October and at that time there was a three to one decision by the Zoning Commission, which she was opposing. The developer was relying on Hamilton County, FEMA, Ohio EPA's, and the Army Corp of Engineers. She felt that was unacceptable, pointing out that the proposed site was exceptionally challenging. She believed that the traffic issues were going to be unpredictable. The slippage issues on this hillside had not been studied nor had the flooding and eroding of Clough Creek. The zoning regulation specifically states that a PUD cannot cause a "detriment to neighboring properties". The zoning regulation also requires that the staff give a written recommendation, prior to a public hearing, and that written recommendation had to be approved, denied, or approved with modifications. That did not occur, there had been no recommendations. The Zoning Commission was operating without recommendations as were the Trustees. She did not feel that was sufficient for this major ask of this risky, eroding hillside, with a folding and deteriorating creek in the watershed. There has been a minimal investment of effort.

**Connie Ahlrichs, 5530 Clough Pike**, stated that she lived directly across the street from the proposed development. To accomplish the proposed density there was a plan to dig up the back side of the south end of the lot and up the hillside. The residents on Keystone had already testified as to the erosion and the foundation damage they were experiencing from land slippage. It was not arguable that those homes would be further impacted if excavation was allowed on the backside of the hill that support those homes. The Ohio Department of Transportation (ODOT) had already estimated that with the addition of the Harmony Senior Living, the development off of Wolfangel and this PUD development an additional thousand trips per day would be added to Clough Pike. The decision that the Trustees needed to consider was how to preserve the investments that the residents sacrificed to obtain.

**Dan McCarthy, McCarthy Law Office, 225 W. Court Street**, stated he was here on behalf of the developer Robert Gerwin. Part of the debate has been whether this proposed PUD was in compliance with the Anderson Plan of 2016. The Comprehensive Plan stated that "the Township should provide a variety of businesses and housing options to meet changing demographics and market demand". There was a perception of a lack housing opportunities for older adults who may be looking for options other than a large home, on a large lot. Many residents had voiced a desire to be able to find a comfortable, smaller home, requiring less maintenance. This property was part of the Comprehensive Plan. The land use map calls for single family, cluster of residences, on this property, and that was defined as low density, detached housing, and related compatible uses where lots were cluster together, in order to preserve environmental resources such as hillsides or

floodplains. His client proposed to put 66 single family homes on approximately 33 acres. He had done similar projects in Amelia, Milford, Lawrenceburg, and throughout the Cincinnati area. The idea was that this development would be geared/marketed towards empty nesters, 55 and older, but not limited to that.

He stated that Ms. Wheatly walked through the timeline, but he wanted to emphasize why they seek approval of this project. This started back in September of 2018 when Mr. Gerwin met with the Planning and Zoning Department and discussed the property in question. They discussed the zoning code, and what were the possible options were under the code. On January 3, 2019, there was a pre-submittal meeting, open to the public, where Mr. Gerwin answered questions and concerns from the residents. The first submittal in February 2019 was denied by the Zoning Commission for three major reasons. The first reason dealt with the stream that ran through the middle of the property. The Zoning Commission felt a secondary, emergency access, was needed for the properties south of the creek. Elstun Place was currently a private drive, in poor condition, that emergency vehicles would not be unable to access. Mr. Gerwin negotiated with the residents of Elstun Place, for an easement, in exchange he would repave the property and make it accessible to the proposed development. It would be a gated emergency access only, which would provide pedestrian access as well. The second concern dealt with the proximity to Clough Pike and several changes were made before the resubmittal. The buffer was increased between Clough Pike and the homes bordering Clough Pike. The setbacks were increased, and the number of proposed homes on the north side of the property, north of the creek, were decreased. The third concern dealt with the lack of a detailed grading plan. Mr. Gerwin worked with his engineers and a detailed grading plan was submitted. The resubmittal was scheduled to be heard at the May 20<sup>th</sup> Zoning Commission hearing, but due to a lack of members, it was rescheduled to June. At the June Zoning Commission hearing there were a number of experts, including Mr. Gerwin, who testified about his experience and due diligence. A bridge expert testified that any bridge built over Clough Pike would have minimal impact on the creek flow. The Army Corp of Engineers would make sure that whatever was constructed over the creek did not impede the flow of the creek. An engineer with Choice One testified about the lot layouts, and setbacks. A geotechnical engineer with CSI Engineers, who typically reviewed projects for Hamilton County, testified that slippage on the hillside was less likely due to the grading which would remove a large amount of the soil that was prone to slippage. A traffic engineer with Choice One performed a site distance study which was submitted as well. There was a two to two deadlock, as for there to be an affirmative decision a vote of three yeas were required. It was appealed to the Trustees, and upon advice of counsel, it was remanded back to the Zoning Commission for an affirmative three votes yes or no. One of the concerns at the June meeting were lots 28 through 32. The setback in the zoning code called for 35 feet, the application had it at 20 feet. Mr. Gerwin negotiated with the neighbor who owned the property to acquire additional 15 feet to make the setback the required 35 feet, in exchange the neighbor would get access to the development and use of the bridge when necessary. At the October Zoning Commission hearing the necessary three votes in favor were acquired. Therefore, he asked the Board to approve what the Zoning Commission did. Mr. Gerwin listened to the questions, comments, and complaints, revised the plan and made it compatible with the Anderson Plan with the Zoning Code. There were issues but all of those were going to be reviewed by the appropriate body. The Hamilton County Regional Planning Commission had to review it for the

Hamilton County subdivision regulations. The Hamilton County Engineer had to approve it, the Ohio EPA had to review and approve it, and the US Army Corp of Engineers had to review and approve it. So just because you approve the zoning, does not mean that all these other issues are going to be ignored. There were other entities, who were tasked with performing those reviews to get those approvals, and if this PUD was going to create all these other concerns it would be stopped at that point by the appropriate body.

**Susan Wheatley, 6104 Clough Pike**, stated that she had a couple of corrections and comments. The money spent by the developer on this proposed PUD had been spent on buying the easement, and dealing with Elstun Road and not what was happening on the hillside. The zoning resolution specifically required consideration of the factors in the Comprehensive Plan. There was a great deal of money, time, and effort spent by Mr. Gerwin regarding the neighbors on Elstun, which could have been spent looking at the slope on Clough Pike, where 100 of cars pass daily. There had been three developments, that Mr. Gerwin had testified about, two in Clermont County and one in Indiana. These developments were on a relatively flat sites, like farmland. This proposed PUD was not the type of site that this developer has had to encounter. Therefore, she asked the Board to deny this application.

**Mr. Gerth moved that we retire to executive session at approximately 5:50 P.M. to deliberate the appeal of Case 7-2019 PUD. 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 at approximately 6:30 PM. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**Mr. Gerth** pointed out that that everyone involved in this case was from the Township. He firmly believed that everyone involved had the best intentions for the Township and whether that was trying to provide housing, a product that could be welcomed, or whether it was the concerns or the impact of the development, all of those things make this situation a difficult one. The Board's responsibility was to determine whether or not the Zoning Commission followed the standards to warrant an approval. **Mr. Pappas** agreed, adding that the Board's job was not to talk about the individual merits of this development but rather address the process it went through to seek approval or denial. **Mrs. Stone** pointed out that the question came down to, did the Zoning Commission have enough information to approve this PUD and did they get the information that they requested.

**Resolution 20-0227-01: Mrs. Stone moved to direct staff to prepare a Resolution to overturn the October 28, 2019 decision of the Anderson Township Zoning Commission which approved Case 7-2019 PUD, for its consideration during its March 19, 2020 meeting. Mr. Pappas seconded the vote.**

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 audience to address the Board.

**Rich Jordan, 5816 Jeb Stuart Drive, Milford, OH** stated that he was speaking on behalf of the local Sierra Club regarding ballot Issue 7, the Hamilton County transit and road improvement tax. The Sierra Club was a volunteer community organization funded by member contributions. They were dedicated to preserving natural areas worldwide, and to improve living conditions of the environment for all people. The Sierra Club prioritized strategies that reduced admissions from automobiles and promoted alternative modes of transportation. Their members believed that properly funded, well managed public transportation was fundamental to creating a healthy community. There was another important concern to consider with Issue 7, the added tax burden. For taxpayers Issue 7 would increase the sales tax from 7% to 7.8%. Studies conducted locally and evidence from other metropolitan areas indicated that the benefits far out way the cost. It was projected that the tax increase would generate approximately \$130,000,000 of revenue per year. \$30,000,000 of that would be devoted entirely to road and bridge maintenance and construction. The civil engineering firm, Aecom, conducted a thorough study of how this plan would improve roads, expand bus service, and spur economic growth. The Aecom study indicated that \$100,000,000 of funding would be allocated to mass transit improvements in Hamilton County. Construction activity over the four-year development span would generate \$11,500,000 in taxable earnings. After the full build out of the service expansion, \$6,800,000 of annual tax revenue would be realized. The study also indicated improvement levels of service would increase property values along the routes in the range of 2% to 4%. Beyond these tangible benefits a high-quality transit system would save commuters time by reducing road traffic and help government reduce the cost of road maintenance. Considering all the benefits that could be realized from passing Issue 7 he asked each of the Trustees to consider endorsing the plan

**Pinky Kocoshis, 7813 Hopper Road**, stated that The League of Women Voters along with many community organizations had all endorsed Issue 7. Cincinnati's transit system was broken, it did not meet the transportation needs of citizens due to funding cuts. Metro has had to cancel routes and ridership has gone down. The "Reinventing Metro Plan" objectives were financial sustainability, improved service frequency, longer service hours, and shorter trip times. Currently the system does not get riders to where the jobs were, this new plan would. The

proposed tax would generate \$130,000,000 per year, a .8% increase in sales tax. Issue 7 would eliminate the 0.3% City of Cincinnati earnings tax currently used to fund Metro and spread that cost across Hamilton County. There would be savings for the commuters as Metro would eliminate the transfer cost on the ticket. Metro would be purchasing new buses, there was a desperate need, and the hope was that they would convert their fleet to electric vehicles. She felt there was no choice but to improve the transit system to serve the citizens of Hamilton County, therefore she urged everyone to vote for Issue 7.

**Gene Young, 7906 Causeway Lane**, expressed his disappointment that the proposed PUD had been extend again. He stated that he was 74 years of age, and many of his peers were finding no options when it came to quality senior housing in the Township. He pointed out that developers know how to build on hillsides, they had been building on hillsides in Cincinnati for 250 years. This PUD still had to go through Hamilton County and all the concerns about slippage would be addressed by qualified engineers provided by the developer. The taxpayers in the Township just passed a major tax increase for the schools, this proposed development would generate an additional half a million dollars in taxes. He felt it was time to let the owners develop their land. This was their legacy and these frivolous conflicts were preventing them from doing that. This developer had lost 2 years in valuable construction, which would provide the Township a much needed option.

**Guy Wolf, 60001 Stirrup**, he pointed out that the zoning considerations along Clough Pike had been fraught with controversy and competing interests. An earlier notice to surrounding residents of an impending large development, outside of the current zoning, would be beneficial. It appeared that by the time the first public notice occurred the development was almost "greased" for completion and approval. He suggested placing a notice on the Township website regarding who the developer was and what was being considered. The Zoning Commission was composed of well qualified members that had a high propensity to have backgrounds in industries related to real estate development, which was great for skills in questioning developers. He did not feel that reflected the diverse thought of this community in making the judgment calls about what was an appropriate zoning change. He has noticed that there was inconsistent attendance by the Zoning Commission members and pointed out that when a decision was made it was highly relevant on which Zoning Commission members were present. He stated that consistency in attendance made for clarity in decisions.

**Kathy Mullanney, 7609 Forest Road**, stated that she had done some research pertaining to assisted living facilities due to the proposed facility at 7577 Forest Road. She went to the Zoning Commission meeting but felt they were only concerned about the look of the building, not how it would affect traffic or the surrounding residences. She discovered that most of the assistant living facilities in the Township were 40% to 60% vacant. Therefore, she felt the need was low and hoped the Zoning Commission would deny the request.



Ms. Mullaney stated that there was a problem with speeding on Forest Road and did not feel the Sheriff's Department was helpful in apprehending the offenders. Vehicles came from Hopper Hill to avoid Beechmont Avenue and when they approach Forest Road they were traveling at a high rate of speed and totally disregard the speed limit sign.

### TRUSTEE COMMENTS

**Mrs. Stone** stated that she endorsed Issue 7, because she believed in public transportation. She pointed out that none of this money would go to the streetcar.

**Mr. Pappas** pointed out that with regard to Clough Pike, much of the traffic was out of the Townships control. It was a Hamilton County road and he encouraged everyone to be cognizant to the fact that much of the traffic on Clough Pike and Beechmont Avenue was due to the massive expansion of development to the east.

Mr. Pappas deferred a position on Issue 7. He believed that was a personal decision that each voter should make themselves, though he did appreciate the availability of bus service to the people that rely on public transportation.

Mr. Pappas did not want anyone to infer his vote as opposition to the development on Clough Pike, or any development at that location. The Board's job was not to talk about the individual merits of this development but rather address the process it went through to seek approval or denial.

**Mr. Gerth** pointed out that with regard to the Clough Pike PUD it was only the process that the Board was ruling on. He believed the process by the Zoning Commission to seek approval or denial was unacceptable. The development in this Township did not happen haphazardly, it was not rubber stamped. Mr. Gerth addressed Mr. Wolf's comments stating that he agreed that inconsistency on the Zoning Commission was something that needed to be addressed. In regard to the diversity of members, every year a notice requesting candidates was placed on the website and Facebook for two months. Staff goes over and above in the recruiting process. This past year there were only five candidates that applied. Mr. Gerth agreed that more diverse members were needed but people needed to step up. He took issue with Mr. Wolf's comment about developments being "greased" by the time residents were made aware. Mr. Gerth asked Mr. Drury to explain the notification process, what was required, and what the Township did to notify surrounding residents of an impending development. **Mr. Drury** explained that the Township was required to publish a legal ad, in a newspaper of general circulation, and send written notice to property owners within two hundred feet of the proposed development and post the property on the website ten days in advance of the hearing. That was what was required by the Ohio Revised Code (ORC). The two hundred feet written notice was a Township policy beyond what was required by the ORC. In addition to those items, staff immediately puts the information on the website. Pre-submittal meetings were held, which were voluntary, but most developers, especially if there were some questions or concerns from surrounding residents, chose to go through the process. That was the Township's attempt to gain input from residents before an official application was made. With a PUD there was only one required hearing before the Zoning Commission. The recent change in

the ORC stated it was optional to go to the Regional Planning Commission, at the county level, if a Township had a Zoning Commission.

Mr. Gerth stated with regard to Issue 7 he had grave concerns throwing \$130,000,000 into a system that had declining ridership and had yet to reinvent itself. He did think there was some good things about Issue 7, like the role back of the income tax for those that work downtown. There was an infrastructure component, as well, but unfortunately the Township would not see much of that money. Mr. Gerth asked how many riders were at the park n ride on average. **Mr. Sievers** responded that the average count had diminished over the last ten years. There were approximately eighty cars a day in the parking a lot. When the park n ride opened there was approximately 160. **Mr. Gerth** stated that he believed in public transportation like Mrs. Stone. **Mrs. Stone** pointed out that people were not riding Metro due to the lack of buses and an expanded schedule. **Mr. Gerth** stated that he hoped Issue 7 would address those issues.

## **FISCAL OFFICER**

Announcement Regarding Permanent Budget Preparation – **Mr. Dietz** announced that staff had been working on the 2020 Permanent Budget and would have the proposed budget ready for review by the March interim meeting. He planned to ask for adoption at the March televised meeting.

Financial Reports – **Mr. Dietz** announced that the year ending 2019 and the end of January financial reports were available for review.

Appropriation Changes –

**Resolution 20-0227-02: Mr. Pappas** moved to adopt the appropriation changes as recommended by the Fiscal Officer. **Mrs. Stone** seconded the motion.

**Appropriation Increase to Fund**

**TIF-STONECREST (ANTHOLOGY)**

**34.1100.07           +\$500,000           Other Expenses (Rec Plex, contracts, misc, expenses)**

There was no further discussion.

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

Minutes –

**Resolution 20-0227-03: Mr. Pappas** moved to approve the minutes of December 19, 2019; 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**

Mrs. Comey had nothing requiring Board action.

**PLANNING & ZONING**

Request to Reschedule Public Hearing for Case 1-2020 Anderson – Various Text Amendments to the Zoning Resolution –

**Resolution 20-0227-04: Mrs. Stone made a motion to set a public hearing for Thursday, March 19, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for the purpose of hearing Case #1-2020 Anderson; and repealing Resolution No. 20-0116-04 passed by this Board on January 16, 2020. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Recommendation to Contract with McGill Smith Punshon for Gateway Enhancement for Kellogg Avenue –

**Resolution 20-0227-05: Mr. Pappas moved to adopt a resolution approving and authorizing the execution of an agreement with McGill Smith Punshon, Inc. relating to gateway enhancements for the Ohio Riverfront Entertainment District/California Neighborhood Business District as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0227-05**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MCGILL SMITH PUNSHON, INC. RELATING TO GATEWAY ENHANCEMENTS FOR THE OHIO RIVERFRONT ENTERTAINMENT DISTRICT/CALIFORNIA NEIGHBORHOOD BUSINESS DISTRICT**

WHEREAS, McGill Smith Punshon, Inc., Cincinnati, Ohio, an Ohio corporation having a principal place of business at 3700 Park 42 Drive, Suite 190B, Cincinnati, OH 45241 (“MSP”), is qualified by expertise, training and reputation to provide the Township with certain services relating to planning, public engagement and analysis, and strategic plan development and drafting, to develop and deliver a Community Engagement Plan, an Existing Conditions Report, and a Gateway Enhancement Plan for the Ohio Riverfront Entertainment District/California Neighborhood Business District (the “Services”);

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*February 27, 2020*

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township to provide for the provision of the Services by MSP, which will benefit the residents and businesses in the Township.

SECTION 2. The form of the Agreement for the provision of Services by MSP as presented to this Board (the "Agreement") is hereby approved and the Township Administrator is hereby authorized to execute the Agreement with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of the Agreement.

SECTION 3. That funds for payment for the Services provided pursuant to the Agreement have been appropriated.

SECTION 4. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

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

There was no further discussion.

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

Clough Chase Sidewalk –

**Resolution 20-0227-06: Mrs. Stone moved to modify the sidewalk requirements as outlined in staff's memorandum, dated February 24, 2020, for the Clough Chase subdivision, to allow for off-site sidewalk construction on the north side of Clough Pike from the east property line of Clough Chase, east to a future sidewalk to be constructed on Wolfangel at a later date, as outlined by staff and consistent with the Anderson Township Sidewalk Plan with funding provided by The Schnicke Company and TIF. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**SHERIFF'S OFFICE**

Liquor License Request for Salem Shell, Inc. dba Shell Express, located at 6685 Salem Road –

**Resolution 20-0227-07: Mr. Pappas moved not to object to a new liquor license request for Salem Shell Inc. dba Shell Express, located at 6685 Salem Road. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**PUBLIC WORKS DEPARTMENT**

Certification for the 2019 Annual Road Mileage –

**Resolution 20-0227-08: Mrs. Stone moved to certify the 2019 Annual Road Mileage as submitted by the Ohio Department of Transportation and the Hamilton County Engineers Office and as kept on file in the Township Public Works Department and Fiscal Department. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**FIRE & RESCUE**

Request for Design Services Related to Locution System –

**Resolution 20-0227-09: Mr. Pappas moved that this Board hereby accept the quote of \$18,220.00, from CR Architecture + Design for the Fire Station Locution Systems consulting services, together with a 10% contingency, for a maximum appropriation of \$20,042.00 funded out of TIF funds; and further, this Board hereby authorizes and directs the Township Administrator, after consultation with the Law Director, to enter into contract with CR Architecture + Design for the Fire Station Locution Systems Consulting Services. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**TOWNSHIP ADMINISTRATOR**

Request to Approve Property and Casualty Insurance –

**Resolution 20-0227-10: Mrs. Stone moved to authorize the renewal of the Township's property and casualty insurance coverage with the Ohio Township Association Risk Management Authority, for the 2020 policy years. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Unmanned Aircraft Systems Policy –

**Resolution 20-0227-11: Mrs. Stone moved to adopt a resolution approving and adopting the Anderson Township UAS Policy (2020) as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0227-11**

**RESOLUTION APPROVING AND ADOPTING  
THE ANDERSON TOWNSHIP UAS POLICY (2020)**

**WHEREAS**, this Board determines that it is in the best interest of the Township to implement a policy with respect to the deployment and utilization of unmanned aircraft systems ("UAS") by those Township employees who are authorized to deploy and utilize UAS; and

**WHEREAS**, staff recommends that this Board approve and adopt the Anderson Township UAS Policy (2020) in the form presented to this Board;

**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 implement a UAS Policy with respect to the deployment and utilization of UAS by those Township employees who are authorized to deploy and utilize UAS, and hereby approves and adopts the Anderson Township UAS Policy (2020) attached hereto as Exhibit A.

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

**SECTION 3.** 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.

There was no further discussion.

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

Resolution Authorizing Verizon Agreement –

**Resolution 20-0227-12: Mr. Pappas moved to adopt a resolution approving and consenting to Hamilton County Engineer’s grant of license to Verizon Wireless telecommunication fiber infrastructure for the use of county Five Mile Road right-of-way to install underground telecommunication fiber as follows. Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0227 – 12**

**APPROVING AND CONSENTING TO HAMILTON COUNTY ENGINEER’S GRANT OF LICENSE TO VERIZON WIRELESS TELECOMMUNICATION FIBER INFRASTRUCTURE FOR THE USE OF COUNTY FIVE MILE ROAD RIGHT-OF-WAY TO INSTALL UNDERGROUND TELECOMMUNICATION FIBER**

WHEREAS, the County Engineer of Hamilton County, Ohio (the “County Engineer”) intends to grant to Verizon Wireless Telecommunication Infrastructure and Fiber (the “Licensee”) a license to install, maintain and operate Licensee’s underground fiber communication line and all related infrastructure (the “Facilities”) within the Five Mile Road right-of-way between Clough Road and Newtown Road, as shown in detail on Exhibit 1 to the LICENSE AGREEMENT GRANTING PERMISSION FOR USE OF COUNTY FIVE MILE RIGHT OF WAY TO INSTALL UNDERGROUND COMMUNICATION FIBER, which is attached hereto as Exhibit A. (the “License Agreement”); and

WHEREAS, the parties to the License Agreement are the Licensee, the County Engineer and Hamilton County, Ohio (the “County”); and

WHEREAS, the subject right-of-way is a Hamilton County right-of-way (“ROW”) that is not occupied by county roadway pavement but is currently occupied by a multipurpose pedestrian bike path (the “Bike Path”) that is operated and maintained by Anderson Township (County of Hamilton), Ohio; and

WHEREAS, the License Agreement provides, among other things, certain terms and conditions for Licensee’s use of the County ROW, including certain conditions that impact the Township and the Township’s maintenance and operation of the Bike Path, and the Township has been requested, as the political jurisdiction having zoning authority with respect to the frontage property adjacent to the County ROW Real Estate described in Exhibit 1 attached to the License Agreement, and as the operator of the Five Mile Trail, to acknowledge and consent to the License Agreement and to represent that the exercise of the rights and obligations described in the License Agreement by Licensee and the County do not violate the Township’s established zoning regulations for said adjacent property;

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 acknowledges, approves and consents to the terms and conditions of the License Agreement and represents, on recommendation of the Director of Planning and Zoning for the Township, that as the political jurisdiction having zoning authority with respect to the frontage property adjacent the County ROW Real Estate described in Exhibit 1 to the License Agreement and as the operator of the Five Mile Trail, that the exercise of the rights and obligations described in the License Agreement by Licensee and County do not violate the Township's established zoning regulations for said adjacent property.

Section 2. That the Township Administrator is hereby authorized to execute the ACKNOWLEDGEMENT AND CONSENT to the License Agreement on behalf of this Board, said License Agreement to be substantially in the form attached hereto as Exhibit A with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of said ACKNOWLEDGEMENT AND CONSENT.

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) 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.**

Resolution Granting Easement to Duke Energy, Ohio LLC –

**Resolution 20-0227-13: Mrs. Stone moved to adopt a resolution authorizing the grant to Duke Energy Ohio, Inc. of a perpetual non-exclusive easement relating to the construction and maintenance of electric and/or telecommunication overhead lines, supporting equipment, appurtenances, fixtures and equipment over an easement area with real property owned by the Township pursuant to Section 505.10 of the Ohio Revised Code as follows: Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0227 – 13**



February 27, 2020

**AUTHORIZING THE GRANT TO DUKE ENERGY OHIO, INC. OF A PERPETUAL NON-EXCLUSIVE EASEMENT RELATING TO THE CONSTRUCTION AND MAINTENANCE OF ELECTRIC AND/OR TELECOMMUNICATION OVERHEAD LINES, SUPPORTING EQUIPMENT, APPURTENANCES, FIXTURES AND EQUIPMENT OVER AN EASEMENT AREA WITHIN REAL PROPERTY OWNED BY THE TOWNSHIP PURSUANT TO SECTION 505.10 OF THE OHIO REVISED CODE**

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

WHEREAS, this Board desires to convey an interest in its real property by granting and conveying an easement as described herein and in the Form of Grant of Easement attached hereto as Exhibit A (the "Easement Agreement") in, upon, over, along, under through and across a portion of that certain real property located on Clough Road, identified by the Hamilton County Auditor as Tax Identification Parcel No. 500-360-14 and owned in fee by the Board of Township Trustees of Anderson Township (the "Real Property") to Duke Energy Ohio, Inc. (the "Grantee");

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 as owner of the fee simple interest in the Real Property, this Board hereby finds that the area within the Real Property (the "Easement Area") as depicted on Exhibit A to the form of Easement Agreement is not needed exclusively for public use by the Township and determines that it is in the best interest of the Township to grant the perpetual, non-exclusive Easement over the Easement Area "as is" to the Grantee on the terms provided in the Easement Agreement.

Section 2. That the form of the Easement Agreement is hereby approved.

Section 3. That the Township Administrator is hereby authorized to execute the Easement Agreement on behalf of this Board in substantially the form attached hereto as Exhibit A with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of the Agreement.

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.**

Resolution Approving the Eastern Communities Energy Special Improvement District Program Plan – Residential Plan –

**Resolution 20-0227-14: Mr. Pappas moved to adopt a resolution approving the Eastern Communities Energy Special Improvement District Program Plan – Residential Plan; authorizing and approving the execution, delivery, and performance of a Township residential pace cooperative agreement with respect to property assessed clean energy transactions in cooperation with the eastern communities Energy Special Improvement District and the Toledo-Lucas County Port Authority; authorizing the Toledo-Lucas County Port Authority to approve petitions and plans for public improvements or public services submitted by the owners of real property within the Township requesting that their properties be added to the territory of the Eastern Communities Energy Special Improvement District and assessed for the cost of such plans on behalf of the Board of Township Trustees of the Township as follows: Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0227-14**

**A RESOLUTION APPROVING THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT PROGRAM PLAN – RESIDENTIAL PLAN; AUTHORIZING AND APPROVING THE EXECUTION, DELIVERY, AND PERFORMANCE OF A TOWNSHIP RESIDENTIAL PACE COOPERATIVE AGREEMENT WITH RESPECT TO PROPERTY ASSESSED CLEAN ENERGY TRANSACTIONS IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT AND THE TOLEDO-LUCAS COUNTY PORT AUTHORITY; AUTHORIZING THE TOLEDO-LUCAS COUNTY PORT AUTHORITY TO APPROVE PETITIONS AND PLANS FOR PUBLIC IMPROVEMENTS OR PUBLIC SERVICES SUBMITTED BY THE OWNERS OF REAL PROPERTY WITHIN THE TOWNSHIP REQUESTING THAT THEIR PROPERTIES BE ADDED TO THE TERRITORY OF THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT AND ASSESSED FOR THE COSTS OF SUCH PLANS ON BEHALF OF THE BOARD OF TOWNSHIP TRUSTEES OF THE TOWNSHIP.**

**WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (ESIDs) upon a petition to a municipal corporation or township; and**

**WHEREAS**, ESIDs are voluntary organizations of municipal corporations, townships, and property owners who undertake special energy improvement projects that benefit real property and finance those special energy improvement projects through voluntary special assessments; and

**WHEREAS**, the Anderson Township, Newtown Energy Special Improvement District, Inc., doing business under the registered trade name Eastern Communities Energy Special Improvement District, Inc., (the District) was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 06-2019 of the Village Council of the Village of Newtown approved on February 26, 2019; and

**WHEREAS**, the Township has determined to develop the *Eastern Communities Energy Special Improvement District Program Plan – Residential Plan* as a proposed plan for public improvements and public services under Ohio Revised Code Chapter 1710, substantially in the form attached to and incorporated into this Resolution as **Exhibit A** (the Residential PACE Plan), and any petitions by the owners of residential real property located within the boundaries of the Township for special assessments to finance the costs of special energy improvement projects on their properties shall be considered, and, if approved, implemented, under and subject to the terms and conditions of the Residential PACE Plan; and

**WHEREAS**, the Residential PACE Plan sets forth the terms and conditions under which the Township and the District will facilitate the financing of special energy improvement projects on residential real property located within the Township and the District; and

**WHEREAS**, in order to provide for the efficient implementation of the Residential PACE Plan, the Eastern Communities Energy Special Improvement District and the Toledo-Lucas County Port Authority, a port authority and political subdivision of the State of Ohio (the Program Port Authority), have entered into an Ohio Residential PACE Cooperative Agreement to establish acceptable program parameters and consumer protections for residential PACE financing projects in the Township and District; and

**WHEREAS**, in order to provide for the efficient implementation of the Residential PACE Plan, the Township has determined to enter into a Township Residential PACE Cooperative Agreement as a cooperative agreement with the Program Port Authority (the Cooperative Agreement); and

**WHEREAS**, under the Cooperative Agreement the Township and the Program Port Authority will cooperatively agree to cause the Program Port Authority to exercise certain powers, perform certain functions, and render certain services on behalf of the Township, all as authorized under this Resolution, the Cooperative Agreement, and Ohio Revised Code Sections 4582.17(B) and 9.482; and

**WHEREAS**, this Board, as mandated by Ohio Revised Code Chapter 1710, must approve or disapprove Petitions for PACE financing within 60 days of their submission to this Board; and

**WHEREAS**, this Board has determined to approve the Residential PACE Plan and to authorize and approve the Cooperative Agreement;

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

**Section 1.** Each capitalized term not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Residential PACE Plan.

**Section 2.** This Board hereby approves the Residential PACE Plan now on file with the Township Fiscal Officer. Any petitions by the owners of residential real property located within the boundaries of the Township for special assessments to finance the costs of special energy improvement projects on their properties shall be considered, and, if approved, implemented, under and subject to the terms and conditions of the Residential PACE Plan.

**Section 3.** This Board hereby approves the Cooperative Agreement, substantially in the form now on file with the Township Fiscal Officer with any amendments or modifications to it as are not materially adverse to the Township, are consistent with this Resolution, and are approved by the Township Administrator who, after consultation with the Law Director, shall sign the Cooperative Agreement on behalf of this Board, all of which shall be conclusively evidenced by the signature of the duly authorized Township Administrator on the Cooperative Agreement. The Township Administrator is hereby authorized, for and on behalf of this Board, to execute and deliver the Cooperative Agreement, including any amendments or modifications to the Cooperative Agreement as are not materially adverse to the Township, are consistent with this Resolution, and are approved by her, after consultation with the Law Director, all of which shall be conclusively evidenced by the signature of the duly authorized Township Administrator on the Cooperative Agreement. The Township is hereby authorized to perform the terms and conditions of the Cooperative Agreement, as it may be amended and in effect at any time. The Township Administrator is hereby authorized, for and on behalf of this Board, to execute and deliver any additional amendments, agreements, certificates, or instruments, including any additional agreements by or among the Township, the County Auditor, the County Treasurer, the Program Port Authority, any other port authority, the District, and any other energy special improvement district, as she may deem to be, after consultation with the Law Director, reasonably necessary to carry out the purposes of the Cooperative Agreement and not materially adverse to the Township, and the Township is hereby authorized to perform the terms and conditions of any of those amendments, agreements, certificates, or instruments.

**Section 4.** Under the Cooperative Agreement, the Township shall, pursuant to Ohio Revised Code Sections 4582.17(B) and 9.482, authorize and request the Program Port Authority to act on behalf of the Township during the term of the Cooperative Agreement to receive and approve or disapprove Petitions and Plans (as defined in the Residential PACE Plan and the Cooperative Agreement) in its reasonable discretion and subject to certain terms and conditions stated in the Residential PACE Plan, the Cooperative Agreement, and this Resolution. Upon the execution and delivery of the Cooperative Agreement by all of the parties to it, this Board hereby appoints the Program Port Authority as its delegate to, for, and on behalf of this Board, receive and approve or

disapprove Petitions and Plans in its discretion and subject to certain terms and conditions stated in the Residential PACE Plan, the Cooperative Agreement, and this Resolution. The approval or disapproval of any Petitions and Plans shall constitute the legislative approval or disapproval of this Board for all purposes of law, including, without limitation, Ohio Revised Code Chapter 1710, and all legal consequences appertaining to a legislative authority's legislative approval or disapproval of petitions and plans for public improvements or public services under Ohio Revised Code Chapter 1710 shall appertain to the Program Port Authority's approval or disapproval of Petitions and Plans for and on behalf of this Board.

The Program Port Authority shall not approve any Petitions and Plans unless the Petitions and Plans and the information regarding the properties, special energy improvement projects, financing terms, and other facts and terms certified within the Petitions and Plans conform and comply in all material respects with the terms and conditions of the Residential PACE Plan, which are attached to, and incorporated into, this Resolution by this reference.

**Section 5.** This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including 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.**

Authorization to Enter into Contract for Electricity Services at Township Facilities –

**20-0227-15: Mrs. Stone moved that this Board hereby accept Constellation New Energy, Inc. electric generation rate of \$0.04089/kWh for street lighting and for non-street lighting accounts for a term of three (3) years without increase through May 2023; further, this Board hereby authorizes and directs the Township Administrator to enter into an Electric Sales Agreement with Constellation New Energy, Inc. substantially in the form presented to this Board with such changes thereto as she shall determine, after consultation with the Law Director, are not financially disadvantageous to the Township, such determination being evidenced by her execution of said Agreement. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Resolution Approving Agreement for Police Protection Services and Authorizing Execution Thereof –

**Resolution 20-0227-16: Mr. Pappas moved to adopt a resolution approving agreement for police protection services and authorizing execution thereof as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0227-16**

**RESOLUTION APPROVING AGREEMENT FOR POLICE PROTECTION SERVICES AND AUTHORIZING EXECUTION THEREOF**

WHEREAS, pursuant to Section 504.16 of the Ohio Revised Code, the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township") may provide police protection services for the Township on a regular basis by contract pursuant to Sections 311.29, 505.43, or 505.50 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 505.43 of the Ohio Revised Code, the Township may contract with the Hamilton County Sheriff (the "Sheriff") and the Hamilton County Board of County Commissioners for the provision of police protection services in the Township; and

WHEREAS, pursuant to Section 505.50 of the Ohio Revised Code, the Township may purchase, lease or otherwise acquire any police apparatus, equipment, including a public communications system, or materials that the Township requires; and may contract with the Sheriff upon any terms that are mutually agreed upon for the provision of police protection services or additional police protection services either on a regular basis or for additional protection in times of emergency in the Township; and

WHEREAS, pursuant to Section 311.29 of the Ohio Revised Code, the Sheriff may enter into a contract with the Township to render police protection services and the Township shall reimburse Hamilton County, Ohio, for the costs incurred by the Sheriff for providing such police protection services; and

WHEREAS, it is in the best interest of the citizens in Anderson Township to enter into an agreement with the Sheriff and the Hamilton County Board of County Commissioners for the provision of police protection services in Anderson Township;

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

SECTION 1. This Board deems it to be in the best interest of the citizens in the Township to enter into an agreement with the Sheriff and the Hamilton County Board of County Commissioners for the provision of police protection services in the Township, and this Board hereby approves the form of Agreement for Police Protection Services before this Board (the "Agreement").

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
February 27, 2020

SECTION 2. The Township Administrator be and she is hereby authorized to execute the Agreement with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of the Agreement.

SECTION 3. Appropriations relating to the costs of the provision of police protection services in the Township pursuant to the Agreement have been made.

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

There was no further discussion.

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

2020 Membership in the Center for Local Government –

**Resolution 20-0227-17: Mrs. Stone moved to authorize renewal of the Township's membership in the Center for Local Government for 2020 at the annual rater of \$3,825.00. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Items Arising from Executive Session Discussion –

**Resolution 20-0227-18: Mrs. Stone made a motion to set the stipend at \$50 for Board of Zoning Appeals and Zoning Commission members for preparing for and attending their respective meetings. The same stipend shall also be provided to alternate members who observe meetings. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**Resolution 20-0227-19: Mrs. Stone moved to adopt a resolution approving an agricultural ground lease with respect to approximately .801 acres of real property comprised of 13 parcels owned by the Township, and authorizing the execution of said lease pursuant to Section 505.11(A) of the Revised Code as follows; Mr. Pappas seconded the motion.**

**RESOLUTION NO. 20 - 0227 - 19**

**RESOLUTION APPROVING AN AGRICULTURAL GROUND LEASE WITH RESPECT TO APPROXIMATELY .801 ACRES OF REAL PROPERTY COMPRISED OF 13 PARCELS OWNED BY THE TOWNSHIP, AND AUTHORIZING THE EXECUTION OF SAID LEASE PURSUANT TO SECTION 505.11(A) OF THE REVISED CODE**

WHEREAS, certain real property comprised of thirteen parcels located in the Township and further identified as Hamilton County Auditor's Tax ID Parcel Nos. 500-381-496, 500-381-497, 500-381-498, 500-381-499, 500-381-500, 500-381-501, 500-381-504, 500-381-537, 500-381-538, 500-381-539, 500-381-540, 500-381-541, and 500-381-545 (the "Property") is owned by the Township; and

WHEREAS, Section 505.11(A) of the Revised Code (the "Statute") authorizes a board of township trustees, when, in its opinion, the township would be benefitted, to lease certain real property to any person upon terms agreed upon by the board and lessee; and

WHEREAS, this Board finds it to be in the best interest of the Township to lease, and finds that the Township would be benefitted by leasing, the Property to M.C. Schmidt & Co., Inc., an Ohio corporation doing business as M.C. Schmidt Agriculture (the "Lessee"); and

WHEREAS, the Statute further provides, in relevant part, that any consideration received from the lease shall be payable, as prescribed in the lease, to the township fiscal officer, who shall deposit it in the township general fund; and

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 lease, and that the Township would be benefitted by leasing, the Property to the Lessee upon the terms and conditions provided in the Agricultural Ground Lease attached hereto as Exhibit A and by this reference made a part hereof (the "Lease"), which is hereby approved.

SECTION 2. That the Township Administrator is hereby authorized to execute the Lease 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 Lease.

SECTION 3. That any consideration received by the Fiscal Officer under the Lease shall be deposited to the Township's General Fund.



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
February 27, 2020

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.**

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of April 16, 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 27<sup>th</sup> day of February 2020, and that said minutes have been duly entered upon the Journal of said Township.

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

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

March 5, 2020

The Board of Township Trustees of Anderson Township (“Board”) held its regular Interim Workshop Meeting on March 5, 2020, at 2:00 p.m., in the Large Conference Room at Anderson Center. Present were the following Board members:

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

**Mr. Gerth** called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Facilities Manager Mark Magna, Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker, Intern Kyle Stone and Administrative Assistant Molly Mohrfield.

**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.**

#### DISCUSSION ITEMS

**Mr. Drury** introduced intern Kyle Stone from the University of Cincinnati.

Coronavirus (COVID-19) Update – **Mrs. Earhart** asked Mr. Magna for an update. **Mr. Magna** stated that the Township received a situation report from Hamilton County Public Health regarding Point of Dispensing (POD) and COVID19. The Forest Hills School District (FHSD) received the same report. Staff from both entities got together to discuss personnel who, through attrition or retirement, were no longer available to fill positions in the POD. While the Hamilton County Board of Health required a POD Manager for the FHSD and Township, each entity was responsible for filling their own positions. John Eckert with the FHSD had since updated his list with multiple people and the Township was working to fill positions, as well. On April 16<sup>th</sup> John Sherrard, Emergency Response Supervisor from Hamilton County Public Health was slated to present a POD orientation/review for team members from the FHSD and the Township. A tour of the POD location would need to be scheduled for the team members to see how the flow of the POD would go. The tour would occur after the meeting with the Hamilton County Public Health Department so that members understood how a POD works and the required positions. Aside from dispensing medication, which required medical personnel, the rest of the POD would be staffed with Township or FHSD personnel and volunteers. The Township was in the process of recruiting volunteers. Tristate Medical Reserve Corps was a website people could go to sign up to be a volunteer as well. A cure for COVID-19 did not exist at this time. There were no known cases in Ohio. COVID-19 targets older adults. **Mrs. Stone** asked if the Senior Center

March 5, 2020

was getting wiped down regularly. Mr. Magna replied that they had been supplied with disinfectant wipes and he believed it was.

Resolution Authorizing Purchase of Property (Sherman Avenue) –

**Resolution 20-0305-01: Mrs. Stone moved to adopt a resolution authorizing the purchase of real property in the Township pursuant to Section 511.11 of the Ohio Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0305-01**

**AUTHORIZING THE PURCHASE OF REAL PROPERTY IN THE TOWNSHIP  
PURSUANT TO SECTION 511.11 OF THE OHIO REVISED CODE**

WHEREAS, Section 511.11 of the Ohio Revised Code (the “Statute”) provides, in relevant part, that a board of township trustees may acquire by purchase, appropriation, or otherwise, any private or public lands which it might deem necessary for its use; and

WHEREAS, this Board has identified certain real property in the Township that it deems necessary for its use and desires to purchase; and

WHEREAS, this Board has been advised that the Hamilton County Land Reutilization Corporation (the “Corporation”), an Ohio nonprofit community improvement corporation organized and existing under Chapters 1724 and 1702 of the Ohio Revised Code, acting by and through the Port of Greater Cincinnati Development Authority, the Management Company for the Corporation (the “Port”), will endeavor to acquire certain real property in Anderson Township identified hereinbelow and has offered to enter into a Sale/Purchase Agreement with respect to said real property providing for the sale of said real property to this Board, if acquired by the Corporation;

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. This Board hereby determines that it is in the best interest of the Township to purchase certain real property located at 6411 Sherman Avenue in the Township (the “Property”) from the Hamilton County Land Reutilization Corporation, acting by and through the Port, if the Corporation acquires the Property. The aggregate maximum purchase price for the Property shall not exceed \$6,000, which amount is hereby appropriated for the purpose of said acquisition.

Section 2. The Township Administrator be and she is hereby authorized to execute the Sale/Purchase Agreement relating to the acquisition of the Property in substantially the form before this Board (the “Agreement”), which is hereby approved, with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of the Agreement.

March 5, 2020

Section 3. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open 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 Ohio Revised Code, except as otherwise permitted hereby.

There was no further discussion.

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

2020 Curb Replacement Project –

**Resolution 20-0305-02: Mr. Pappas moved to accept the bid of \$1,416,346.40, from Adleta Construction deemed to be the most responsive and responsible bidder for the 2020 Curb Replacement project in accordance with the bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$1,557,981.04 in Road and Bridge funds; further, this Board hereby authorizes and directs the Township Administrator to give timely Notice of Award to the contractor and, after consultation with the Law Director, to enter into contract with Adleta Construction in accordance with their bid for the 2020 Curb Replacement 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.**

Resolution Accepting Donation of Real Property –

**Resolution 20-0305-03: Mrs. Stone moved to adopt a resolution accepting donation of real property and interests therein to the Township by Nageshwar P. Dwivedi, pursuant to the authority of Section 505.10 of the Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0305 – 03**

**RESOLUTION ACCEPTING DONATION OF REAL PROPERTY AND INTERESTS THEREIN TO THE TOWNSHIP BY NAGESHWAR P. DWIVEDI, PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
March 5, 2020*

WHEREAS, Nageshwar P. Dwivedi, individually, is the fee owner of an undivided one-half interest in certain real property identified as Auditor's Parcel No. 500-0211-0198-00, which is located in the Township and described in Exhibit A hereto (the "Property"); and

WHEREAS, successor Co-Trustees, on behalf of the owner of the remaining undivided one-half interest in the Property (the "Bhati Trust"), have executed a Property Transfer Agreement with the Township pursuant to which the Bhati Trust will convey its interest in the Property to the Township; and

WHEREAS, this Board desires to accept the donation of Mr. Dwivedi's undivided one-half interest in the Property and upon receipt of the remaining undivided one-half interest from the Bhati Trust, to hold the Property for use as open space;

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township to accept the donation of Mr. Dwivedi's interest in the Property pursuant to this Board's authority contained in the Statute.

SECTION 2. This Board approves and accepts the donation of Mr. Dwivedi's interest in the Property, which shall be conveyed by quitclaim deed, with release of dower rights, to the Township, acting by and through this Board, and authorizes the Township Administrator to execute such documents as she deems, after consultation with the Law Director, to be necessary and proper to accomplish said donation of real property and not disadvantageous to the Township, such determination being evidenced by her signing of such documents.

SECTION 3. This Board hereby expresses its appreciation to Mr. Nageshwar P. Dwivedi for making the aforesaid generous donation of real property to the Township.

SECTION 4. Upon conveyance of the interests of the Bhati Trust and of Mr. Dwivedi in the Property to this Board, on behalf of the Township, the Property shall be held and utilized by the Township as open space under the Township's open space program.

SECTION 5. 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  
March 5, 2020

Mr. Gerth moved to retire to Executive Session to consider the appointment of a public official as permitted by Ohio Revised Code Section 121.22 (G)(1), to consider the purchase or property for public purposes or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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 212.22(G)(4).

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; Ms. Stone, yes; Mr. Pappas, yes.

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of April 16, 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 5<sup>th</sup> day of March 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 16th day of April, 2020.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*March 13, 2020*

The Board of Township Trustees of Anderson Township ("Board") held a duly announced emergency meeting on March 13, 2020, at 4:30 p.m. in the Anderson Center Board Room. Present were the following Board members:

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

**Mr. Gerth** called the meeting to order and welcomed the attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Law Director Margaret Comey, Fiscal Office Manger Debbie Hucker and Administrative Assistant Molly Mohrfield.

**Mr. Pappas moved to adopt the agenda. Mr. Gerth seconded the motion.**

There was no further discussion.

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

**Mrs. Earhart** explained that staff was working closely with the Hamilton County Public Health Department and State/local emergency management agencies to monitor and respond to developments surrounding the spread of COVID-19. Although there were no known cases in Hamilton County, the Township was actively implementing Ohio Governor Mike DeWine's recommendations to stop the spread of COVID-19 and his order banning mass gatherings of people.

These preventive measures include cancelling or postponing events taking place in Township facilities, limiting the use of township facilities, and reducing public education appearances. The Anderson Township Senior Center would be closing at the end of the day on Friday, March 13 through Friday, April 24. Cincinnati Area Senior Services would continue to deliver meals on wheels to those individuals enrolled in the program. Anderson Center, the Anderson Township Senior Center, and the Anderson Township Heritage Center were closed to events with 100 or more attendees. Staff would notify event organizers and full refunds would be provided for those who cancel. Organizers of smaller meetings and non-essential gatherings were encouraged to cancel or postpone their activities. Future rentals of township facilities had been placed on hold as of March 10, although tentative reservations would be accepted. Public meetings of the Board of Township Trustees, Zoning Commission and Board of Zoning Appeals would continue as scheduled. The one-evening class "Anderson Township 101," set for March 24, had been postponed until the fall. Tours of township facilities including fire stations and non-essential public appearances were canceled until further notice. The Anderson Township History Room was closed until further notice.

Mrs. Earhart asked the Board to declare an emergency within the Township and to appropriate funds for emergency purposes.

**Resolution 20-0313-01: Mr. Pappas moved to adopt a resolution declaring existence of an emergency; making an appropriation for the payment of expenses related to activities for equipment and emergency management; and authorizing acceptance of services, equipment, supplies, materials or funds for purposes of emergency management and seeking reimbursement for expenditures as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0313-01**

**RESOLUTION DECLARING EXISTENCE OF AN EMERGENCY; MAKING AN APPROPRIATION FOR THE PAYMENT OF EXPENSES RELATED TO ACTIVITIES FOR EQUIPMENT AND EMERGENCY MANAGEMENT; AND AUTHORIZING ACCEPTANCE OF SERVICES, EQUIPMENT, SUPPLIES, MATERIALS OR FUNDS FOR PURPOSES OF EMERGENCY MANAGEMENT AND SEEKING REIMBURSEMENT FOR EXPENDITURES.**

WHEREAS, this Board of Township Trustees ("Board") is empowered by Sections 5502.21 to 5502.51 of the Revised Code (the "Act") to declare the existence of an emergency, and to undertake measures to mitigate, among other things, any actual or imminent threat to the survival or the overall health, safety or welfare of the civilian population that is caused by any natural event, and includes, without limitation, an attack, disaster, and emergency; and

WHEREAS, the Act permits the Board to undertake activities that mitigate and reduce or eliminate the probability of a hazard and to take measures designed to reduce the effects of unavoidable hazards, including measures that may be taken during the hazard or after a hazard has occurred and activities, among others, necessary for emergency, medical, health of the civilian population, monitoring for secondary hazards, damage assessment and disaster analysis operations, coordination of disaster assistance programs, decontamination operations, and the documentation of operations and financial expenses, and any other activities that may be necessary for survival and the overall health, safety and welfare of the civilian population; and

WHEREAS, the Act authorizes the undertaking of emergency preparedness and emergency management, including activities and measures designed or undertaken in preparation for any hazard that will enhance the probability for preservation of life; and

WHEREAS, the Board may, in such circumstances, acquire and maintain firefighting, first-aid, emergency medical, hospital and rescue equipment and materials, equipment for evacuation and relocation of individuals, communications equipment, and all other means, in the nature of personal property, to be used exclusively in the protection of individuals and property against the effects of any hazard;



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

March 13, 2020

WHEREAS, the Board is authorized to establish a program for emergency management in accordance with the Act, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and all applicable rules and regulations adopted under that Act (the "Stafford Act"); and

WHEREAS, the Board is authorized under the Act to make appropriations for the payment of expenses of its local activities for emergency management incurred by any administrative or operational division, office, department, board or authority of the state or of a political subdivision thereof, including volunteer agencies, organizations or departments, or chargeable to the Township by agreement in any county wherein a countywide agency for emergency management has been established;

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

SECTION 1. **Declaration of Emergency.** An emergency, specifically the need to prepare for the coronavirus (COVID-19) pandemic, is hereby declared to exist.

SECTION 2. **Acquisition, Replacement and Repair of Equipment; Emergency Management Activities.** For a period of six (6) after passage of this Resolution, the Township Administrator or the Chief of the Fire and Rescue Department are hereby authorized to contract, on behalf of this Board, for acquisition (by purchase, rental, loan or otherwise), replacement or repair of such equipment as may by either such official be deemed necessary to mitigate, respond to, or recover from the coronavirus (COVID-19) pandemic, and, during such period and thereafter, so long as the pandemic shall, in their joint opinion, be continuing, to undertake all necessary emergency management activities permitted under Chapter 5502 of the Revised Code.

SECTION 3. **Appropriation.** The sum of not to exceed \$50,000 is hereby authorized and appropriated for the purposes described in the preambles to this Resolution and Section 2 of this Resolution.

SECTION 4. **Acceptance of Donations.** The Township Administrator or the Chief of the Fire and Rescue Department are hereby authorized to accept such services, equipment, supplies, materials or funds for purposes of pandemic emergency management as may be offered to the Township by any person, firm or corporation, the State or any political subdivision of the State and to seek reimbursement of the Township's expenses incurred hereunder from the State and from the federal government pursuant to the Stafford Act or by any other means.

SECTION 5. **Termination.** The authority granted hereby shall terminate six months from the date of passage of this Resolution, unless further action of this Board is taken.

SECTION 6. **Preambles.** That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
March 13, 2020

SECTION 7. **Sunshine Law Finding.** This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) 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.**

As there was no further business, the meeting adjourned.

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


  
\_\_\_\_\_  
Joshua S. Gerth, Chair

  
\_\_\_\_\_  
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 13<sup>th</sup> day of March, 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 16th day of April, 2020.

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

SECTION 1. After considering the record established during the Zoning Commission's hearing of Case 7-2019, PUD, and the briefs and argument of the parties to this appeal, the Board hereby determines that the October 28, 2019 decision of the Zoning Commission is overturned.

SECTION 2. During the Zoning Commission hearing on September 23, 2019, the Zoning Commission requested further information from the applicant on three main issues of concern to the Zoning Commission. During the Zoning Commission hearing on October 28, 2019, the applicant addressed only one of the three issues. Because of this failing, the Board finds that the Zoning Commission's decision was not supported by adequate evidence from the applicant that the proposed PUD met the required standards found in Zoning Resolution Article 4.1, G, General Standards, for a PUD approval, and is, therefore, overturned.

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. 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.**

#### **FISCAL OFFICER**

Consideration of 2020 Permanent Summary Budget – **Mr. Dietz** explained that every year, in March, the Township was required to adopt the permanent summary budget for the fiscal year. He pointed out that this had been the most difficult budget he has had to deal with due to all the uncertainties surrounding COVID-19. The \$50,844,000 budget was more than \$4,000,000 over the previous budget due to the new TIF projects and related revenue. Approximately \$1,000,000 had been added to the 1994 TIF budget. The Fire & Rescue fund had been increased due to the uncertainty surrounding salaries. Those were the major reasons why the 2020 permanent summary budget was \$4,000,000 over what had been anticipated last July.

**Resolution 20-0319-02: Ms. Stone moved to adopt the 2020 permanent summary budget as presented by Mr. Dietz and a follows; Mr. Gerth seconded the motion.**

There was no further discussion.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
March 19, 2020

2020 PERMANENT SUMMARY BUDGET			
March 19, 2020			
UAN	TOWNSHIP	DESCRIPTION	2020 PERMANENT SUMMARY BUDGET
<b>GENERAL</b>			
01-A-01	01.1100.01	SALARIES - TRUSTEES	70,000
01-A-02	01.1100.02	SALARY - FISCAL OFFICER	33,000
01-A-03	01.1100.03	TRAVEL/OFFICIALS EXPENSES	5,000
01-A-04	01.1100.04	SUPPLIES - ADMIN.	15,000
01-A-05	01.1100.05	EQUIPMENT	10,000
01-A-06	01.1100.06	INSURANCE	314,500
01-A-10	01.1100.10	LEGAL	221,000
01-A-11	01.1100.11	MEMORIAL DAY EXPENSE	100
01-A-12	01.1100.12	EMPLOYERS RETIRE. CONTRIBUTION	100,000
01-A-13	01.1100.13	SOCIAL SECURITY	3,500
01-A-15	01.1100.15	WORKERS COMPENSATION + FRANK GATES	37,000
01-A-16	01.1100.16	GENERAL HEALTH DISTRICT	84,000
01-A-17	01.1100.17	AUDITOR/TREASURER FEES	22,000
01-A-18	01.1100.18	ADVERTISING DELINQUENT LANDS	1,000
01-A-19	01.1100.19	AUDIT CHARGES	40,000
01-A-21	01.1100.21	ELECTION EXPENSE	45,000
01-A-24	01.1100.24	DISASTER MANAGEMENT	70,000
01-A-26	01.1100.26	OTHER EXPENSES	1,001,500
01-A-27	01.1100.27	TRANSFERS	913,500
01-A-28	01.1100.28	CONTRACTUAL SERVICES	330,000
01-A-81	01.1100.81	SALARY & BENEFITS - ADMINISTRATOR	80,000
01-B-01	01.1200.01	SALARY/CONTRACT BLDG/GROUND MAINT	325,000
01-B-02	01.1200.02	IMPROVE SITES FOR BUILDINGS	60,000
01-B-03	01.1200.03	NEW BLDG & ADDITIONS	0
01-B-04	01.1200.04	UTILITIES	146,500
01-B-05	01.1200.05	MAINTENANCE SUPPLIES - BUILDINGS	14,000
01-B-06	01.1200.06	EQUIPMENT PURCHASE/REPLACE - BUILDINGS	3,500
01-B-07	01.1200.07	REPAIRS - BUILDINGS	5,000
01-B-08	01.1200.08	OTHER EXPENSES - BUILDINGS	20,000
01-D-01	01.1400.01	SALARIES - CEMETERIES - MAINT.	27,000
01-D-02	01.1400.02	IMPROVEMENT SITE - CEMETERY	35,000
01-E-01	01.1500.01	LIGHTING CONTRACT	115,000
01-F-02	01.1600.02	IMPROVEMENT SITE - RECREATION	6,000
01-F-03	01.1600.03	LAND PURCHASES - RECREATION	0
01-F-08	01.1600.08	OTHER EXPENSE - RECREATION	20,000
01-I-01	01.1900.01	ADVANCES - OUT	0
<b>TOTAL GENERAL - 01</b>			<b>4,173,100</b>
<b>MOTOR VEHICLE LIC.</b>			
02-B-01	02.1200.01	SALARIES (Road & Bridge)	45,000
02-B-04	02.1200.04	OTHER EXP - MEDICARE	800
<b>TOTAL MOTOR VEHICLE LICENSE - 02</b>			<b>45,800</b>
<b>GASOLINE TAX</b>			
03-B-01	03.1200.01	SALARIES (Road & Bridge)	350,000
03-B-04	03.1200.04	OTHER EXP. - MEDICARE	5,500
<b>TOTAL GAS TAX - 03</b>			<b>355,500</b>
<b>PUBLIC WORKS</b>			
04-A-02	04.1100.02	EMPLOYERS RETIRE. CONTRIB.	140,000
04-A-03	04.1100.03	WORKERS COMPENSATION + FRANK GATES	40,000
04-A-04	04.1100.04	TOOLS & EQUIPMENT	15,000
04-A-05	04.1100.05	SUPPLIES	147,500
04-A-06	04.1100.06	REPAIRS	70,000
04-A-08	04.1100.08	BUILDINGS & ADDITIONS	35,000
04-A-09	04.1100.09	UTILITIES	24,900
04-A-10	04.1100.10	INSURANCE	322,000
04-A-13	04.1100.13	OTHER EXPENSES	113,000
04-B-01	04.1200.01	SALARIES	500,000
04-B-02	04.1200.02	MATERIALS	222,000
04-B-03	04.1200.03	CONTRACTS	165,000
04-B-04	04.1200.04	OTHER EXPENSES	9,000
<b>TOTAL PUBLIC WORKS - 04</b>			<b>1,803,400</b>
<b>LIGHTING DISTRICT</b>			
07-A-01	07.1100.01	CONTRACTS	160,400
07-A-02	07.1100.02	OTHER EXP. - AUD/TREAS. FEES	6,980
07-A-03	07.1100.03	MISC. EXPENSES	0
07-A-04	07.1100.04	UNDERGROUND UTILITIES DISTRICTS CONSTRUCTION	0
07-A-25	07.1100.25	TRANSFER - OUT	0
<b>TOTAL LIGHTING DISTRICT - 07</b>			<b>167,380</b>
<b>SHERIFF</b>			

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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09-A-01	09.1100.01	SALARIES	122,000
09-A-02	09.1100.02	EMPLOYER RETIR. CONTRIB.	20,000
09-A-03	09.1100.03	WORKERS COMPENSATION + FRANK GATES	7,000
09-A-07	09.1100.07	TOOLS & EQUIPMENT	15,000
09-A-08	09.1100.08	SUPPLIES	95,600
09-A-09	09.1100.09	REPAIRS	45,000
09-A-10	09.1100.10	CONTRACTS	4,486,000
09-A-12	09.1100.12	INSURANCE	47,400
09-A-14	09.1100.14	OTHER EXPENSES	138,800
<b>TOTAL SHERIFF - 09</b>			<b>4,976,800</b>
<b>FIRE</b>			
10-A-01	10.1100.01	SALARIES	6,690,000
10-A-02	10.1100.02	EMPLOYER RETIR. CONTRIB.	1,600,000
10-A-03	10.1100.03	WORKERS COMPENSATION + FRANK GATES	310,000
10-A-04	10.1100.04	ASSESSMENT & CONTRIBUTION	0
10-A-06	10.1100.06	NEW BLDGS/ADDITIONS	0
10-A-07	10.1100.07	UTILITIES	128,000
10-A-08	10.1100.08	TOOLS & EQUIPMENT	58,600
10-A-09	10.1100.09	SUPPLIES	381,800
10-A-10	10.1100.10	REPAIRS	183,500
10-A-11	10.1100.11	CONTRACTS	80,000
10-A-14	10.1100.14	INSURANCE	1,983,500
10-A-15	10.1100.15	OTHER EXPENSES	880,100
<b>TOTAL FIRE - 10</b>			<b>12,295,500</b>
<b>PLANNING &amp; ZONING</b>			
13-A-01	13.1100.01	SALARIES - OFFICE & INSPECTORS	391,000
13-A-03	13.1100.03	SUPPLIES	10,000
13-A-04	13.1100.04	CONTRACTS	233,000
13-A-05	13.1100.05	OTHER EXPENSES	352,600
<b>TOTAL PLANNING &amp; ZONING - 13</b>			<b>986,600</b>
<b>TIF FUND - 1994 VARIOUS PURPOSE BONDS</b>			
14-A-07	14.1100.07	EXPENSES	5,790,300
14-A-08	14.1100.08	S.D. DISTRIBUTION	11,020,000
<b>TOTAL TIF FUND - 14 - 1994 VARIOUS PURPOSE BONDS</b>			<b>16,810,300</b>
<b>GENERAL NOTE RETIREMENT</b>			
15-A-01	15.1100.01	PRINCIPAL	2,815,000
15-A-02	15.1100.02	INTEREST	141,000
<b>TOTAL GENERAL NOTE RETIREMENT - 15</b>			<b>2,956,000</b>
<b>GREENSPACE SPECIAL REVENUE LEVY</b>			
20-A-07A	20.1100.07	CONTRACTS	200,000
20-A-08A	20.1100.08	OTHER EXPENSES	100,000
<b>TOTAL GREENSPACE SPECIAL REVENUE LEVY - 20</b>			<b>300,000</b>
<b>PERMISSIVE MOTOR VEHICLE LICENSE</b>			
23-B-03	23.1200.03	CONTRACTS	500,000
<b>TOTAL PERMISSIVE MOTOR VEHICLE LICENSE - 23</b>			<b>500,000</b>
<b>PERMANENT IMPROVEMENT</b>			
26-A-08	26.1100.0101.01	CONTRACTS	696,051
<b>TOTAL PERMANENT IMPROVEMENT FUND - 26</b>			<b>696,051</b>
<b>TIF FUND - 2010 BOND</b>			
30-A-08	30.1100.08	S.D. DISTRIBUTION	0
<b>TOTAL TIF FUND - 2010 BOND - 30</b>			<b>0</b>
<b>TIF FUND - NOTHERN ANDERSON AREA</b>			
31-A-08	31.1100.08	S.D. DISTRIBUTION	0
<b>TOTAL TIF FUND - NOTHERN ANDERSON AREA - 31</b>			<b>0</b>
<b>TIF FUND - OHIO RIVERFRONT AREA I (CPS)</b>			
32-A-07	32.1100.07	EXPENSES	450,000
32-A-08	32.1100.08	S.D. DISTRIBUTION	2,000,000
<b>TOTAL TIF FUND - OHIO RIVERFRONT AREA I (CPS) - 32</b>			<b>2,450,000</b>
<b>TIF FUND - OHIO RIVERFRONT AREA II (FHSD)</b>			
33-A-08	33.1100.08	S.D. DISTRIBUTION	112,000
<b>TOTAL TIF FUND - OHIO RIVERFRONT AREA II (FHSD) - 33</b>			<b>112,000</b>
<b>TIF FUND - STONECREST/ANTHOLOGY (REC PLEX) - 34</b>			
34-A-07	34.1100.07	EXPENSES	2,202,813
34-A-08	34.1100.08	S.D. DISTRIBUTION	53,500
<b>TOTAL TIF FUND - STONECREST/ANTHOLOGY (REC PLEX) - 34</b>			<b>2,256,313</b>
<b>TOTAL ALL FUNDS</b>			<b>50,884,744</b>

**PLANNING & ZONING**

Request to Reschedule Public Hearing for Case 1-2020 Anderson – Various Text Amendments to the Zoning Resolution –

**Resolution 20-0319-03:** Mr. Pappas made a motion to reschedule a public hearing for Thursday, April 16, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for the purpose of hearing Case #1-2020 Anderson; and repealing Resolution No. 20-0116-04 and No. 20-0227-04 passed by this Board on January 16, 2020, and February 20, 2020, respectively.

There was no further discussion.

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

Set Public Hearing for Case 2-2020, Mt. Carmel Road Zone Change –

**Resolution 20-0319-04:** Mrs. Stone made a motion to set a public hearing for Thursday, April 16, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio for the purpose of hearing Case #2-2020 Anderson.

There was no further discussion.

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

**SHERIFF'S OFFICE**

Resolution Authorizing Purchase of Sheriff's Vehicles –

**Resolution 20-0319-05:** Mr. Pappas moved to adopt a resolution authorizing the purchase of three motor vehicles pursuant to Section 505.101 of the Revised Code and the disposition of five surplus motor vehicles pursuant to Section 505.101(A)(3) of the Revised Code as a trade-in against said purchase as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 20 – 0319- 05**

**RESOLUTION AUTHORIZING THE PURCHASE OF THREE MOTOR VEHICLES PURSUANT TO SECTION 505.101 OF THE REVISED CODE AND THE DISPOSITION OF FIVE SURPLUS MOTOR VEHICLES PURSUANT TO SECTION 505.10(A)(3) OF THE REVISED CODE AS A TRADE-IN AGAINST SAID PURCHASE.**

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
March 19, 2020*

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

WHEREAS, the Township owns those certain five motor vehicles more fully described on Exhibit A hereto, which by this reference is incorporated herein and made a part hereof (the "Trade-In Equipment"), which Trade-In Equipment is hereby deemed by this Board to be not needed for Township use; and

WHEREAS, Section 505.101 of the Revised Code (the "Acquisition Statute") provides, in relevant part, that a board of township trustees may, by resolution, enter into a contract, without advertising or bidding, for the purchase or sale of motor vehicles, materials, equipment, or supplies from or to any department, agency, or political subdivision of the State; and

WHEREAS, this Board hereby determines that it is in the public interest to acquire by purchase certain equipped motor vehicles for use in the delivery of police protection services in the Township, to-wit, three (3) fully equipped AWD Ford Explorers (the "2020 Equipment"), which 2020 Equipment is available for purchase pursuant to a bid process undertaken by the Hamilton County Sheriff's department pursuant to the Acquisition Statute; and

WHEREAS, this Board desires to dispose of the Trade-In Equipment "AS IS" and valued at \$15,000.00 in the aggregate, as more fully described on Exhibit A hereto, trading-in and applying the aggregate value of the Trade-In Equipment against the purchase of the 2020 Equipment, as permitted under the Acquisition Statute;

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 Trade-In Equipment is not needed for public use and is unfit for the purpose for which it was acquired, and determines that it is in the best interest of the Township to dispose of the Trade-In Equipment pursuant to the Disposition Statute, and particularly division (A)(3) of thereof, "AS IS" and at an aggregate selling price of not less than \$15,000.00 (the "Minimum Selling Price").

SECTION 2. That this Board hereby authorizes the purchase of the 2020 Equipment pursuant to State Bid under the Acquisition Statute from Lebanon Ford, Inc., Lebanon, Ohio (the "Vendor") at a purchase price not to exceed \$100,000.00 without taking into account the Minimum Selling Price of the Trade-In Equipment (the "Maximum Purchase Price").

SECTION 3. That this Board hereby authorizes the Township Administrator, pursuant to the Disposition Statute and this Resolution, to provide for the disposition of the Trade-In Equipment to the Vendor at not less than the Minimum Selling Price and to credit the actual selling price of the Trade-In Equipment paid by the Vendor against the purchase price of the 2020 Equipment to be paid by the Township; to provide for the acquisition of the 2020 Equipment, pursuant to the Acquisition Statute and this Resolution; and to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the disposition of the Trade-In Equipment and the purchase of the 2020 Equipment, all in accordance with this Resolution. Funds to effect the purchase of the 2020 Equipment at not more than the Maximum Purchase Price are hereby appropriated for the purpose.

SECTION 4. That the Fiscal Officer is authorized to sign all documents necessary to effect the disposition of the Trade-In Equipment at not less than the Minimum Selling Price.

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

SECTION 6. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open 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.**

## **TOWNSHIP ADMINISTRATOR**

Coronavirus (COVID-19) Update – **Mrs. Earhart** stated that these were unprecedented times. The Township had the benefit of the leadership from the Board of Trustees; Governor DeWine; the Director of the Ohio Department of Health Dr. Acton; Hamilton County’s Administration, Public Health, and Emergency Management and the Homeland Security Agency; and the employees at Mercy Health Hospital. They had all been instrumental in working to protect the safety and health of the community. Residents and businesses were dealing, not only with health and safety concerns but financial concerns, as well. Adherence to the Governor’s orders and the advice of medical professionals was going to help everyone get through this difficult time and reduce the spread of the Coronavirus by staying home when ill, washing hands frequently, and practicing physical distancing. There were over 119 cases confirmed in the State of Ohio, with two cases in Hamilton County. She also thanked the churches and members of the community



who had offered their support, particularly for seniors and children that were in need. For those that were interested in helping it was suggested that a financial donation be made to agencies such as the Council on Aging, Nine United, Interparish Ministries or other agencies that were helping to feed children and seniors. Dr. Acton was encouraging people to donate blood when they could.

The Board of Trustees met in emergency session on March 13<sup>th</sup> and declared the existence of an emergency in the Township and appropriated funding for activities that related to responses. In order to reduce the spread of COVID-19 several operational changes had been made. Those operational changes were available on the website. This public meeting was out of ordinary by conducting it via teleconference. Staff was also using virtual conferences for the non-statutory citizen advisory committees.

Anderson Center was not closed. Members of the public who needed to drop off plans for the Planning and Zoning Department were being asked to place them in a tray at the front counter, as every attempt was being made to reduce face to face contact with the public and staff. The event staff was contacting renters to ask if they wish to reschedule or cancel their event. The Planning and Zoning Department was still fully active, but there may be some delays in the normal inspection period of 24 hours. The Public Works employees were out in the field but were limited to one person per vehicle. The Senior Center closed at 2 pm on Friday March 13<sup>th</sup> and would remain closed through at least April 24<sup>th</sup>. Part time staff was calling Senior Center members to see what their needs were and were working with Cincinnati Area Senior Services to deliver meals to those that are in need.

Based on the advice of medical professionals and the Governor, temperatures of all the employees were being taken daily. Firefighters routinely take their temperatures three times a day. The administration staff was working to finalize recommendations to keep services going, but have staff work from home to limit exposure. The Board of Trustees and Fiscal Officer were always available by phone or email, as were staff. Kroger announced that there was plenty of food in the supply chain, and they were keeping their facilities sanitized. Staff had been working closely with the Anderson Area Chamber Commerce to get information out to small businesses that may need assistance.

**Chief Martin** stated that there had been no change in emergency services. The Fire and Rescue Department was currently running as normal. They were continuing to monitor the Hamilton County Health Department's daily updates, along with the Center for Disease Control & Prevention, the Ohio Department of Health, and the World Health Organization, and utilizing all the information to come with response plans and any contingencies. All the experts agree that no one knows where this pandemic was heading and every day there were changes that come out. Staff had to remain fluid as far as practices were concerned. He pointed out that COVID-19 was a respiratory virus; therefore, an order had been placed for a six-month supply of respiratory pharmacologic. Battalion Chief Kasperczyk, has been placed on a 40-hour work week so that he could work with the six nursing facilities and the New England Club located in the Township.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
March 19, 2020

Should any of the fire and rescue personnel be exposed to COVID-19 alternatives were being made to make sure that the department and vehicles were sufficiently staffed to ensure that service capabilities did not drop.

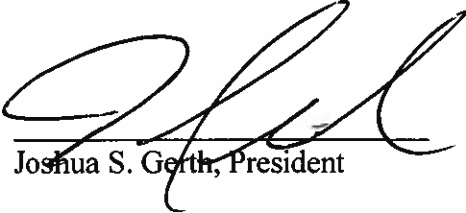
**Lt. McElroy** stated that due to the COVID-19 crisis, the Sheriff's Department had activated Phase One, a non-emergency, crime reporting procedure, to help prevent or limit contact with the public. The sheriff's deputies would not respond for nonviolent property crimes or crimes not in progress. They would respond to other crimes in progress, including crimes of violence, and crimes requiring collection of evidence or structure fires. He stated there would also be a limited auto crash response procedure. Deputies would only respond to an auto crash if persons were injured, vehicles blocking traffic, or unusual circumstances such as a DUI or a utility pole struck. Drivers involved in minor accidents should exchange information or respond to a sheriff's facility to file a report. Drivers would have 72 hours to report these incidents. Also, deputies, in general, would not be responding to fire department calls unless it would involve incidents such as severe bleeding, heartaches, choking, anything that requires emergency assistance, as well as requests from the fire department. Ride alongs had been eliminated as well. Reports could be taken at the station due to the glass partition at the clerk's desk.

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 May 21, 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 19<sup>th</sup> day of March 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of May, 2020.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

April 2, 2020

The Board of Township Trustees of Anderson Township (“Board”) held its regular Interim Workshop Meeting on April 2, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the April 2, 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. The agenda for the meeting was available on the Townships website. At each of the Board meetings attendees were encouraged to complete a sign-in sheet which included name and address. If at some point during or after the meeting anyone would like to electronically sign-in she asked that they send 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 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. **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

**Resolution 20-0402-01: Ms. Stone moved to approve the minutes of January 16, 2020, with minor corrections. Mr. Pappas seconded the motion.**

There was no further discussion.

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

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#### DISCUSSION

COVID-19 Update – **Mrs. Earhart** stated that staff was staying informed by participating in virtually meetings with County, State and local officials regarding the impact COVID-19 and how it could impact residents and business owners. She explained that there had been

operational changes at Anderson Center with many employees working from home, but services to the residents had not stopped.

**Chief Martin** stated that there had been no changes in emergency operations to date. The Emergency Operations Center (EOC) was activated and the Township was at a level 3 monitoring responses. The State was at a level 1 active usage. The Township did have an Incident Action Plan (IAP) that worked hand in hand with the operations of the EOC. The IAP lists who would be appointed to roles in the EOC. Every day, an IAP was produced due to the fluidity of the situation and changes were made daily. The IAP consisted of internal policies that were developed relative to COVID-19. The plan also contained flow charts, as well as an extensive list of cleaning agents, and how long those agents needed to be on a surface before the COVID-19 was eradicated.

The Fire and Rescue Department was vigilantly monitoring the personal protective equipment (PPE) burn rate and, to date, there was an ample supply. The N95 mask was the mask of choice due to higher filtration rate. Battelle, an Ohio company, received an emergency go-ahead from the FDA to deploy its decontamination system for personal protective equipment (PPE), allowing healthcare workers to clean and reuse scarce N95 respirator masks. The system could process up to 80,000 masks per machine, per day, and has been working to help stretch supplies. Chief Martin stated that he had a conference call with the fire chiefs of the eastern division of Hamilton County to discuss consistencies and to ensure nothing was overlooked. New disinfecting policies had been instituted, and medic units were disinfected after every response to ensure that patients and personnel were protected.

The State of Emergency declaration issued by the President, Governor, and Township did open up the potential for reimbursement for expenses related to the COVID-19 response. A list of possible reimbursements had been compiled. Reimbursements could be approximately 75% from the federal government and 25% from the State. The Incident Command System (ICS) forms, used for reimbursements, had been utilized from day one.

Chief Martin pointed out that there were a tremendous number of unknowns that fire and rescue personnel face daily. It was imperative to make sure personnel were ready to respond and were in the best health, physically and mentally, they could be in. Therefore, they were encouraged to seek help, if necessary, and multiple avenues for that assistance had been communicated to them. There were multi contingences in place for equipment, personnel, and positions in the EOC. **Mrs. Earhart** added that Mr. Luginbuhl had reached out to the public work directors from surrounding communities and contingency plans were in place for ensuring that Township roads were safe if personnel were to become ill. Similarly, administration had resources through the Center for Local Government should additional help be needed. The management team had physically split up so that no one was working in the same place at the same time, should someone become ill.

**Lt. McElroy** stated that the Sheriff's Department was functioning under phase 1, non-emergency, crime reporting procedure, to help prevent or limit contact with the public. The

sheriff's deputies would not respond for nonviolent property crimes or crimes not in progress. If it was an emergency there was no change in procedures. For squad runs, the Sheriff's Department would respond if the fire department requested assistance. Instructions that the cruisers are to be cleaned, and how they were to be cleaned, had been disseminated. Temperatures were taken daily. Supplies for cleaning and disinfecting the station continued to be received. Things change day to day regarding what is opened and what is not per the Governor's order. The Sheriff's Department checks to see what was enforceable and what was not, and were responsive to the Township needs.

**Mrs. Earhart** stated that there had been several complaints/concerns expressed about social distancing at the Beech Acres skate park along with other park facilities. The Anderson Park District was monitoring the situation, as well as the Sheriff's Department.

**Mrs. Earhart** pointed out that the Board adopted a resolution declaring existence of an emergency and making an appropriation for the payment of expenses related to activities for equipment and emergency management for up to \$50,000. **Mrs. Hucker** explained that the purchase order for the \$50,000 was done after the permanent budget was completed. Therefore, some of the expenses incurred were covered in the individual department's purchase order. She was going to coordinate with each department head to see what their expenditures were and get them properly coded to the correct fund. There were \$13,000 in refunds for events which was ongoing. There were expenses of \$18,300 in UV patient devices, \$10,000 in laptops for employees to use at home and approximately \$1,000 to \$2,000 for cleaning supplies and miscellaneous items. In total \$43,300 had been spent and she believed that the \$50,000 purchase order would need to be increased. **Mrs. Earhart** agreed that the emergency funding would need to be increased. Staff was trying to keep expenditures down, but it was important to track all expenditures individually for reimbursement purposes. Staff was also very sensitive to the fact that there were a lot of people not bringing home a paycheck right now, businesses were hurting, and a lot of people were in financial stress. Therefore, staff was looking to the future to see how that was going to impact the Township's revenue and budget moving forward. There had been \$13,000 in refunds made for rentals that were cancelled. It was the Township's commitment to refund all deposits to renters. She believed, to date, there was approximately \$17,000 in lost rental revenue and she felt that number would increase as well. Also, decisions made at the State level to delay renewing license plates, fees and permits would cause a lag in revenue to the Township. She also believed that there would be a reduction in the local government fund and the pari-mutuel tax from Belterra.

**Mr. Gerth** stated that the update was very comprehensive and thanked the entire team for everything they had done during this crisis. **Mrs. Stone** thanked everyone as well, stating she realized how difficult this was for everyone involved. **Mr. Pappas** stated how pleased and proud he was of the staff. The fact that renters are receiving 100% refund of their deposits for events was extremely rare.

Acceptance of Coldstream Club Drive –

**Resolution 20-0402-02: Mrs. Stone moved to support the Hamilton County Engineer's acceptance of Coldstream Club Drive, which lies in the Parke Place at Coldstream Subdivision, as a Township roadway. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Resolution Initiating Various Text Amendments to the Anderson Township Zoning Resolution –

**Resolution 20-0402-03: Mr. Pappas moved to adopt a resolution initiating various text amendments to the Anderson Township Zoning Resolution as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0402-03**  
**INITIATING VARIOUS TEXT AMENDMENTS TO THE**  
**ANDERSON TOWNSHIP ZONING RESOLUTION**  
**(Daycares in "O" Office Zoning, Modification to PUD)**

WHEREAS, this Board of Township Trustees ("Board"), through powers granted by Chapter 519 of the Revised Code, may initiate amendments to the Anderson Township Zoning Resolution when it can be demonstrated that such is in the best interests of the community and that such changes promote the public health and safety of the community; and  
WHEREAS, this Board has discussed certain proposed changes, finds them to be in best interests of the community, and finds that they will promote the public health and safety of the community;

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

SECTION 1. That this Board initiates the adoption of the amendments to the Anderson Township Zoning Resolution contained in Exhibits A, and B, hereto, which are hereby incorporated in and made parts of this Resolution.

SECTION 2. That a certified copy of this Resolution as it may be amended shall become part of the Anderson Township Zoning Resolution upon recommendations, review, hearings, amendments and final decision of this Board as prescribed by the Anderson Township Zoning Resolution and the Revised Code.

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 an open meeting of

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

There was no further discussion.

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

Resolution Declaring April 24, 2020, as Arbor Day in Anderson Township –

**Resolution 20-0402-04: Mrs. Stone moved to adopt a resolution declaring April 24, 2020, as Arbor Day in Anderson Township as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0402-04**

**Declaring April 24, 2020, as Arbor Day in Anderson Township**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (“Board”), believes it is important to maintain and enhance natural areas, specifically tree cover along and visible from roadways, so as to maintain a high quality of life in the community; and

WHEREAS, Anderson Township desires to protect the natural resources along the roadways in the community, as well as be a leader in this statewide effort and model of natural resource protection for other communities; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife;

Now, therefore, BE IT RESOLVED that this Board does hereby declare Friday, April 24, 2020, as ARBOR DAY in Anderson Township and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.



April 2, 2020

SECTION 1. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 2. 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.**

Resolution Supporting the 2020 United States Census and Encouraging Participation by Anderson Township Residents –

**Resolution 20-0402-05: Mr. Pappas moved to adopt a resolution supporting the 2020 United States Census and encouraging participation by Anderson Township residents as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0402-05**  
**SUPPORTING THE 2020 UNITED STATES CENSUS AND ENCOURAGING PARTICIPATION BY ANDERSON TOWNSHIP RESIDENTS**

WHEREAS, the Board of Township Trustees of Anderson Township (“Township”), Hamilton County, Ohio (“Board”), believes it is important to encourage participation in the 2020 United States Decennial Census (“Census”); and

WHEREAS, the next Census will be taken in the year 2020 and political representation to the United States House of Representatives, state legislatures and local governments is determined by the Census; and

WHEREAS, the information gained from the Census informs spending on infrastructure and services including hospitals, schools, roadways, bridges, senior centers, emergency services, and more; and

WHEREAS, the information gained from the Census informs many private decisions including providing information on research markets, location of skilled worker pools and demographic information that supports private investment and non-profit community development groups; and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*April 2, 2020*

WHEREAS, the information gained from the Census informs many decisions on all levels of government including many planning and development decisions, local infrastructure based on population, funding for many services, and more; and

WHEREAS, the Census consists of only nine questions, the shortest of any recent Census questionnaire; and

WHEREAS, the Census, for the first time in 2020, can be filled out online, by phone, or mail; and

WHEREAS, the information gained from the Census will allow Anderson Township to make better informed decisions that will better serve citizens, attract development and draw visitors to the Township; and

WHEREAS, by completing the Census residents will eliminate the need for Census Enumerators to visit their home, a more costly and potentially disruptive method; now, therefore,

NOW, THEREFORE, BE IT RESOLVED that the Board hereby encourage all residents to fully participate in the 2020 Census in the timeliest manner possible.

Section 1. That the preamble hereto is and shall for all purposes be construed to be an integral and operative part of this Resolution.

Section 2. That this Board hereby finds and determines that all formal actions of the Board concerning and relating to the passage of the Resolution were taken in open meetings of this Board, and that all deliberations of the 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.**

Appointment of Anderson Park Commissioner –

**Resolution 20-0402-06: Mrs. Stone made a motion to appoint Julie Bissinger to the Anderson Township Board of Park Commissioners effective May 1, 2020, with the term expiring the second Monday of May 2023. Mr. Pappas seconded the motion.**

There was no further discussion.

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

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

**Resolution 20-0402-07: Mr. Pappas moved to adopt a resolution approving a first amendment to the Anderson Center Station Redevelopment Agreement and ratifying the action taken by the Township Administrator in executing said First Amendment as follows; Mrs. Stone seconded the motion:**

**RESOLUTION No. 20-0402-07**

**A RESOLUTION APPROVING A FIRST AMENDMENT TO THE ANDERSON CENTER STATION REDEVELOPMENT AGREEMENT AND RATIFYING THE ACTION TAKEN BY THE TOWNSHIP ADMINISTRATOR IN EXECUTING SAID FIRST 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”); and

**WHEREAS**, 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 by Developer, the Developer has requested an extension of the term of DDP-Phase I (as defined in the Original Agreement) from expiration 90 days from the Effective Date of the Original Agreement to June 18, 2020; and

**WHEREAS**, the Original Agreement 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 by Developer, 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 the Declarations represent good cause shown by the Developer for an extension of the term of the DDP-Phase I to June 18, 2020; that the form of First Amendment to Anderson Center Redevelopment Agreement dated as of March 20, 2020 (the “First Amendment”) memorializing said extension is hereby approved; that the action of the Township Administrator in signing the First Amendment is hereby ratified; and that the Original Agreement as amended by the First Amendment shall constitute the Anderson Center Station Redevelopment Agreement as of the Effective Date of the First Amendment.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 2, 2020*

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.**

Annual Memorial Day Contribution to American Legion Post 318 –

**Resolution 20-0402-08: Mrs. Stone moved to authorize a Memorial Day Contribution of \$100 to American Legion Anderson Post 318 for the purpose of properly observing Memorial Day with the Township as permitted by Ohio Revised Code Section 307.66. 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 retire to Executive Session to consider the purchase of property as permitted by Ohio Revised Code 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 consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. 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.**

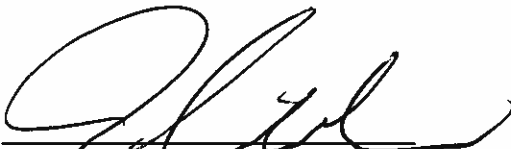
There was no further discussion.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 2, 2020

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of May 21, 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 2<sup>nd</sup> day of April 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21st day of May, 2020.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

April 16, 2020

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on April 16, 2020 at 5:30 p.m., in the Emergency Operation Center.

**Mrs. Earhart** welcomed everyone to the April 16, 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 Hearing for Case 1-2020 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 our Board meetings, attendees were encouraged to complete a sign-in sheet including their name and address. If at some point during or after the meeting if you would like to electronically “sign-in” 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
- Law Director Margaret Comey
- 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
- Planner 1 PJ Ginty 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.

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the purchase of property for public purposes as permitted by Ohio Revised Code Section 121.22(G)(2). Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Ms. Stone, yes; Mr. Pappas, yes.**

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

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

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

There was no further discussion.

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

**Mr. Gerth stated that he appreciated all the residents who were doing their part during this pandemic, by staying at home, supporting local restaurants, volunteering time, or donating money. He especially wanted to thank the health care community, the frontline people, doctors, nurses, paramedics, nursing home employees, and anyone in the human contact medical care industry for going above and beyond. Mrs. Stone thanked the Kroger frontline workers as well.**

## PUBLIC HEARINGS

**Mr. Gerth opened the public hearing for Case 1-2020 Anderson, Various Text Amendments to the Zoning Resolution.**

Case 1-2020 Anderson – **Mr. Ginty** explained that the applicant was the Anderson Township Planning and Zoning Staff on behalf of the Anderson Township Board of Township Trustees. The applicant was requesting approval of amendments to Articles three, four, five and six of the Anderson Township Zoning Resolution. The amendments include the addition of definitions for massage therapy, medical marijuana businesses, short term rentals, murals, noncommercial signage, and to amend the regulations of the Planned Unit Development (PUD) overlay review procedures. The adoption of the resolution was initiated by the Board of Trustees on November 21, 2019. Hamilton County Regional Planning Commission heard the request on January 9, 2020, and recommended approval of the text amendments with modifications. Due to changes in State legislation, staff felt that text amendments were necessary to ensure that the Zoning Resolution was held to a current standard.

**Mr. Gerth** asked if anyone would like to comment on Case 1-2020 Anderson, Various Text Amendments to the Zoning Resolution.

Hearing none, **Mr. Gerth** closed the public hearing.

**Resolution 20-0416-01: Mrs. Stone moved to adopt a resolution approving and adopting text amendments to the Anderson Township Zoning Resolution pertaining to massage therapy, medical marijuana, short-term rentals, Planned Unit Developments, and murals as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0416-01**  
**APPROVING AND ADOPTING TEXT AMENDMENTS TO THE ANDERSON TOWNSHIP ZONING RESOLUTION PERTAINING TO MASSAGE THERAPY, MEDICAL MARIJUANA, SHORT-TERM RENTALS, PLANNED UNIT DEVELOPMENTS, AND MURALS**

WHEREAS, this Board of Township Trustees ("Board"), has discussed Case 1-2020 Anderson, a recommendation of the Anderson Township Zoning Commission, to amend the text of the Anderson Township Zoning Resolution as described in Exhibits A, B, C, D, and E, which is attached hereto, and is hereby incorporated in and made part of this Resolution; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Hamilton County Regional Planning Commission recommended approval with modifications of such amendments at its January 9, 2020, meeting; and

WHEREAS, after allowing for public testimony and deliberating in public session, the Anderson Township Zoning Commission recommended approval of such amendments with modifications at its January 27, 2020 and February 24, 2020, meetings; and

WHEREAS, on April 16, 2020, this Board held a public hearing to review said amendments (as so modified), the documents and testimony pertaining thereto, and the recommendations of the Anderson Township Zoning Commission, Hamilton County Regional Planning Commission, Township staff and various County and Township agencies;

WHEREAS, this Board has discussed certain proposed changes, finds them to be in best interests of the community, and finds that they will promote the public health and safety of the community;

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

SECTION 1. That this Board adopts the amendments to the Anderson Township Zoning Resolution contained in Exhibit A, B, C, D, and E hereto, which are hereby incorporated in and made parts of this Resolution.

SECTION 2. That a certified copy of this Resolution as it may be amended shall become part of the Anderson Township Zoning Resolution upon recommendations, review, hearings, amendments and final decision of this Board as prescribed by the Anderson Township Zoning Resolution and the Revised Code.



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

There was no further discussion.

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

### **PRESENTATIONS AND RECOGNITIONS**

2020 Road Construction Update – **Mr. Sievers** presented the 2020 Road Construction Project list and stated that similar to the last 16 years, staff contacted area jurisdictions and utility providers to obtain a listing of construction projects planned for the Township. This was done to help coordinate construction activities that may impact residents. The listing also helps motorists to plan alternative routes. The annual road construction project list was available on the Township's website and Facebook. The list included projects on Township roads, as well as those associated with projects from the Hamilton County Engineer, Clermont County Engineer, Ohio Department of Transportation, City of Cincinnati, Metropolitan Sewer District and Duke Energy projects.

### **PUBLIC FORUM**

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

### **PUBLIC FORUM**

**Mr. Gerth** invited members of the telephonic audience to address the Board. Hearing none, **Mr. Gerth** closed public forum.

### **TRUSTEE COMMENTS**

**Mr. Pappas** thanked staff for keeping the Township running safely. He was happy to learn that the Governor announced plans to begin to reopen the State on May 1<sup>st</sup>. Residents and businesses were dealing, not only with health and safety concerns but financial concerns, as well. He was very sensitive to the fact that there were a lot of people not bringing home a paycheck right now, businesses were hurting, and a lot of people were in financial stress. These are very trying both emotionally and physically.

### **FISCAL OFFICER**

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

Appropriation Changes –

**Resolution 20-0416-02: Mr. Pappas moved to approve the appropriation changes as detailed by Mr. Dietz and as follows. Ms. Stone seconded the motion.**

**Appropriation Increase**

**GENERAL**

**01.1100.24      +\$100,000                      Disaster Management**

There was no further discussion.

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

Resolution Authorizing the Adoption of an Alternative Method of Apportioning the Local Government Fund –

**Resolution 20-0416-03: Mrs. Stone moved to adopt a resolution authorizing the adoption of an alternative method of apportioning the Local Government Fund as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0416-03**

**RESOLUTION AUTHORIZING THE ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONING THE LOCAL GOVERNMENT FUND**

**WHEREAS**, Ohio Revised Code Section 5747.53 provides that in lieu of apportioning the undivided local government fund by the method prescribed by Revised Code Sections 5747.51 and 5747.52, that an alternative method of apportioning said fund may be approved by the Budget Commission upon approval of such alternative method by the Board of County Commissioners, the legislative authority of the city, located wholly or partially in the county, with the greatest population; and a majority of the boards of township trustees and legislative authorities of municipal corporations, located wholly or partially within the county, excluding the legislative authority of the city with the greatest population, and

**WHEREAS**, up until 1989, the Hamilton County Budget Commission had operated under the statutory formula provided by Revised Code Sections 5747.51 and 5747.52, and

**WHEREAS**, the statutory method of apportioning the fund had resulted in repeated and continued litigation between and among the parties entitled to participate in the distribution of the Fund, and

**WHEREAS**, the statutory method of apportioning the fund had resulted in continued uncertainties about the financial distribution of the fund, and

**WHEREAS**, the alternative method of apportioning the Fund first adopted in 1988 and renewed in 1995, 2004 and again in 2012 has brought stability of the process by eliminating the uncertainties of litigation and providing for a more efficient and effective method of financial planning, and

**WHEREAS**, the alternative method of apportioning the Local Government Fund as described and outlined in the attached Exhibit A represents a fair and equitable method of apportioning the Local Government Fund which is the best interests of Anderson Township; now, therefore,

**BE IT RESOLVED**, by Anderson Township Board of Township Trustees that the attached agreement be adopted and that a certified copy of this resolution be forthwith sent to the Office of the Hamilton County Budget Commission

**SECTION 3.** 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.

There was no further discussion.

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

Minutes –

**Resolution 20-0416-04: Mr. Pappas moved to approve the minutes of February 27, 2020; March 5, 2020; and March 13, 2020, with minor corrections. Ms. Stone seconded the motion.**

There was no further discussion.

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

**LAW DIRECTOR**

Credit Card Policy Review/Compliance –

**Resolution 20-0416-05: Mrs. Stone moved to adopt a resolution accepting the report of the Law Director, as Compliance Officer, provided pursuant to the Anderson Township Credit Card Account Policy (April 2020) as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0416 – 05**

**RESOLUTION ACCEPTING THE REPORT OF THE LAW DIRECTOR, AS COMPLIANCE OFFICER, PROVIDED PURSUANT TO THE ANDERSON TOWNSHIP CREDIT CARD ACCOUNT POLICY (APRIL 2020)**

**WHEREAS**, Section 505.64 of the Ohio Revised Code (the “Statute”) authorizes the use of township credit cards; and

**WHEREAS**, by Resolution No. 19-0418-11, this Board updated its credit card policy and approved and adopted the Anderson Township Credit Card Account Policy (April 2019)(the “Credit Card Policy”) and designated the Township’s Law Director as the Compliance Officer with respect thereto (the “Compliance Officer”) to perform the duties required of a compliance officer by the Statute; and

**WHEREAS**, as required by the Statute, the Credit Card Policy requires that the Compliance Officer and the Board at least once every six (6) months shall review the number of credit cards and accounts issued, the number of active cards and accounts issued, the expiration dates of and the credit limits with respect to such credit cards and accounts (collectively, the “Credit Card Data”), which review was last conducted in October 2019; and

**WHEREAS**, this Board has reviewed the Credit Card Compliance Report of the Law Director;

**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 accepts and confirms the Credit Card Compliance Report of the Law Director attached hereto as Exhibit A, and by this reference incorporated herein, including the Credit Card Data reported thereby.

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

## **PLANNING & ZONING**

### Authorization for Engineering for Little Dry Run and Lawyer Road Sidewalks –

**Resolution 20-0416-06: Mr. Pappas moved to authorize staff to enter into an agreement with Brandstetter-Carroll, Inc. to provide civil surveying and engineering services to design sidewalk and storm sewer improvements on Little Dry Run Road and Lawyer Road for a cost not to exceed \$26,000 as well as a 10% contingency of \$2,600. Mrs. Stone seconded the motion.**

There was no further discussion.

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

6083 Salem Road – Mr. Drury stated that the house located at 6083 Salem Road caught on fire in August 2019. In October the property owner secured the home due to complaints that the home was open. The owner stated that it was his intention to demolish the home and sell the property. Staff had been receiving complaints periodically throughout the winter regarding a portion of the home that was not secured. Hamilton County Building Department did inspect the home and felt that it was still structurally sound and did not warrant a condemnation order. However, a letter from the Anderson Township Fire Department stated the home did meet the conditions to pursue a nuisance abatement if the Trustees felt that that was the direction they wanted to take. Mr. Drury stated that he was in contact with the owner, and he had applied for a demolition permit in February and it has been pending; therefore, staff was asking for Board guidance on pursuing nuisance abatement on this property. **Mr. Gerth** asked if the demolition permit was through Hamilton County. **Mr. Drury** responded that it was a County permit although other agencies must sign off on it as well. The portion that was pending was a septic abandonment permit from Hamilton County Public Health. Once that permit was received then the Hamilton County Building Department would release demolition permit. **Mr. Gerth** pointed out that the Public Health Department was most likely overwhelmed with COVID-19. He asked if staff could make a call to someone in the Public Health Department who could get this approval done. **Mr. Drury** stated that staff would reach out to them. **Mr. Gerth** stated that he was not inclined to pursue a nuisance abatement in a formal fashion if Hamilton County could insure this was moving forward.

## **SHERIFF'S OFFICE**

### Liquor License Transfer Request for Anderson Township Public House, LLC –

**Resolution 20-0416-07: Mrs. Stone moved not to object to a liquor license transfer request for Anderson Township Public House, LLC located at 6694 Clough Pike & Patios. Mr. Pappas seconded the motion.**

There was no further discussion.

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

## **PUBLIC WORKS DEPARTMENT**

### Nordyke and Woodruff Trails Construction –

**Resolution 20-0416-08: Mr. Pappas moved that this Board hereby accepts the bid of \$116,964.00, from Smith Construction deemed to be the most responsive and responsible bidder for the Woodruff & Nordyke Sidewalk Extension project in accordance with the bid plans and specifications, together with a 10% contingency, for a maximum appropriation of \$128,660.40; further this Board hereby authorizes and directs the Township Administrator to give timely Notice of Award to the contractor and, and consultation with the Law Director, to enter into contract with Smith Construction in accordance with their Bid for the Woodruff & Nordyke Sidewalk Extension project. Mrs. Stone seconded the motion.**

There was no further discussion.

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

### Request for 2020 Reclamite Asphalt Rejuvenator Program –

**Resolution 20-0416-09: Mrs. Stone moved to accept proposal from Pavement Technology, Inc. to apply Reclamite asphalt rejuvenator to the roads (list attached) for an amount not to exceed \$67,515.12, with a 10% contingency of \$6,752.51 for a total of \$74,267.63. The work will be performed according to the specifications. Mr. Pappas seconded the motion.**

There was no further discussion.

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

### Request for 2020 Pavement Preservation Program –

**Resolution 20-0416-10: Mr. Pappas moved to authorize the Township Administrator to enter into a contract with Strawser Construction Inc. for a micro-surface overlay on select Township streets utilizing state bid pricing in the amount of \$166,738.74 plus a 10% contingency of \$16,673.87 resulting in a total amount not to exceed \$183,412.61. Mrs. Stone seconded the motion.**

There was no further discussion.

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

## **FIRE & RESCUE DEPARTMENT**

Delivery of New Medic Unit – **Chief Martin** announced that the Fire and Rescue Department had recently taken delivery of a new paramedic unit, it had been labeled, and was in service.

## **TOWNSHIP ADMINISTRATION**

COVID-19 Update – **Mrs. Earhart** stated that the State of Ohio and the Ohio Department of Health announced today that there were currently 8,414 cases of COVID-19 in the State, with 2,331 hospitalized, and 389 deaths. Of those 8,414 cases, 615 were in Hamilton County, 147 hospitalized, and 29 deaths. It was important that the residents understood that there has been no change in the level of emergency services from the Fire and Rescue Department and Hamilton County Sheriff's Department. 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. All firefighters were now wearing masks to protect residents, patients and personnel. She pointed out that \$50,000 had been expended from the resolution declaring existence of an emergency and making an appropriation for the payment of expenses related to activities for equipment and emergency management. Approximately \$35,000 of that money went towards personal protective equipment, disinfecting services and supplies primarily for the Fire and Rescue Department. An additional \$14,600 was spent on technology that included laptops and docking stations for employees to work from home and continue to provide services to residents. An additional \$16,000 was spent on cleaning services at Anderson Center. Therefore, the \$50,000 purchase order would need to be increased and asked the Board to authorize a resolution that would increase that appropriation by \$100,000.

Mrs. Earhart also pointed that staff was looking to the future to see how COVID-19 was going to impact the Township's revenue and budget moving forward. She stated that Mr. Dietz had received a letter from the Hamilton County Auditor Dusty Rhodes anticipating that there would be an approximate 10% reduction in the property tax revenue. Also, after reviewing other accounts, such as the gasoline tax, and with people driving less there would be a reduction there as well. Many of the rentals and events that had been scheduled at Anderson Center had to be cancelled and that has resulted in a reduction of approximately \$10,000 per month in rental revenue.

**Resolution 20-0416-11: Mrs. Stone moved to adopt a resolution declaring necessity of and making an additional appropriation for the payment of expenses related to the acquisition, repair or replacement of equipment and emergency management activities incurred during the COVID-19 emergency as follows; Mr. Pappas seconded the motion:**

### **RESOLUTION NO. 20-0416-11**

**RESOLUTION DECLARING NECESSITY OF AND  
MAKING AN ADDITIONAL APPROPRIATION FOR THE  
PAYMENT OF EXPENSES RELATED TO THE**

**ACQUISITION, REPAIR OR REPLACEMENT OF  
EQUIPMENT AND EMERGENCY MANAGEMENT  
ACTIVITIES INCURRED DURING THE COVID-19  
EMERGENCY.**

WHEREAS, this Board of Township Trustees ("Board") is empowered by Sections 5502.21 to 5502.51 of the Ohio Revised Code (the "Act") to declare the existence of an emergency, and to undertake measures to mitigate, among other things, any actual or imminent threat to the survival or the overall health, safety or welfare of the civilian population that is caused by any natural event, and includes, without limitation, an attack, disaster, and emergency; and

WHEREAS, the Act permits the Board to undertake activities that mitigate and reduce or eliminate the probability of a hazard and to take measures designed to reduce the effects of unavoidable hazards, including measures that may be taken during the hazard or after a hazard has occurred and activities, among others, necessary for emergency, medical, health of the civilian population, monitoring for secondary hazards, damage assessment and disaster analysis operations, coordination of disaster assistance programs, decontamination operations, and the documentation of operations and financial expenses, and any other activities that may be necessary for survival and the overall health, safety and welfare of the civilian population; and

WHEREAS, the Act authorizes the undertaking of emergency preparedness and emergency management, including activities and measures designed or undertaken in preparation for any hazard that will enhance the probability for preservation of life; and

WHEREAS, the Board may, in such circumstances, acquire and maintain firefighting, first-aid, emergency medical, hospital and rescue equipment and materials, equipment for evacuation and relocation of individuals, communications equipment, and all other means, in the nature of personal property, to be used exclusively in the protection of individuals and property against the effects of any hazard;

WHEREAS, the Board is authorized to establish, and has established, a program for emergency management in accordance with the Act, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and all applicable rules and regulations adopted under that Act;

WHEREAS, the Board is authorized under the Act to make appropriations for the payment of expenses of its local activities for emergency management incurred by any administrative or operational division, office, department, board or authority of the state or of a political subdivision thereof, including volunteer agencies, organizations or departments, or chargeable to the Township by agreement in any county wherein a countywide agency for emergency management has been established;



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 16, 2020*

WHEREAS, by passage of Resolution No. 20-0313-01, among other things, this Board declared the existence of an emergency, specifically the need to prepare for the coronavirus (COVID-19) pandemic, authorized for a period of six (6) months after passage thereof, the acquisition, replacement or repair of equipment, and the undertaking of certain necessary emergency management activities to mitigate, respond to, or recover from the COVID-19 pandemic, and appropriated a sum not to exceed \$50,000 for the stated purposes; and

WHEREAS, this Board deems it to be in the best interest of the Township to increase the sum appropriated for the purposes stated in Resolution No. 20-0313-01, by the appropriation of an additional \$50,000;

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

SECTION 1. This Board hereby declares the necessity of appropriating the sum of not to exceed \$50,000, which sum is hereby authorized and appropriated, for the purposes described in the preambles to and in Section 2 of Resolution No. 20-0313-01, and in the preambles to this Resolution, which appropriation represents an appropriation in addition to the sum of \$50,000 appropriated by Resolution No. 20-0313-01.

SECTION 2. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

Storm Water District Level of Service and Service Fees for 2021 –

**Resolution 20-0414-12: Mr. Pappas moved that the Township Administrator be and is hereby authorized to execute on behalf of this Board, the Storm Water District Level of Service Options (LOS) and Service Fees for 2021 with the Hamilton County Storm Water District in substantially the form before this Board with such changes thereto as shall not, in her judgement after consultation with the Law Director, be detrimental to the Township, such determination being evidenced by her execution of said agreement. This Board further requests that the Hamilton County Storm Water District use a portion of these fees**

**to investigate methods to minimize the impacts of stormwater quantity. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Resolution Setting Public Hearings for Motor Vehicle License Fee –

**Resolution 20-0416-13: Mrs. Stone moved to adopt a resolution setting public hearing dates and authorizing publication of notice of two public hearings on the question of levying an annual Motor Vehicle License Tax pursuant to Section 4504.181 of the Ohio Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0416 – 13**

**SETTING PUBLIC HEARING DATES AND AUTHORIZING PUBLICATION OF  
NOTICE OF TWO PUBLIC HEARINGS ON THE QUESTION OF LEVYING AN  
ANNUAL MOTOR VEHICLE LICENSE TAX  
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 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, prior to considering passage of a resolution to levy the annual license tax as aforesaid, the Statute requires that the board of township trustees shall conduct two public hearings, 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;

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

April 16, 2020

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 determines that it shall conduct two public hearings on the question of levying an annual license tax under the Statute at the rate of five dollars per motor vehicle on all motor vehicles the district of registration of which is located in the unincorporated area of the Township, said 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.

Section 2. That this Board shall conduct the aforesaid public hearings at Anderson Center, 7850 Five Mile Road, Anderson Township, OH 45230 at a special meeting on May 14, commencing at 4:00 PM, and at this Board's regular meeting on May 21, commencing at 6:00 PM. If the Governor's Stay At Home Order is 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 (a) for the public hearing on May 14, 2020, conference telephone line: 1-408-418-9388; enter Access Code 791398109; and then enter Password 28805142, and (b) for the public hearing on May 21, 2020, conference telephone line: 1-408-418-9388, and entering access code 790121731 (with no password).

Section 3. That the Township Administrator is authorized and directed to publish notice of the date, time and place of both hearings by publication as provided in the Statute and the cost of such publication of notice is hereby appropriated from the General Fund.

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

Items Arising from Executive Session Discussion –

**Resolution 20-0416-14: Mr. Pappas moved to adopt a resolution authorizing the purchase of real property in the Township pursuant to Section 511.11 of the Ohio Revised Code as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0416-14**

**AUTHORIZING THE PURCHASE OF REAL PROPERTY IN THE TOWNSHIP  
PURSUANT TO SECTION 511.11 OF THE OHIO REVISED CODE**

WHEREAS, Section 511.11 of the Ohio Revised Code (the "Statute") provides, in relevant part, that a board of township trustees may acquire by purchase, appropriation, or otherwise, any private or public lands which it might deem necessary for its use; and

WHEREAS, this Board has identified certain real property in the Township that it deems necessary for its use and desires to purchase;

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. The Board hereby determines that it is in the best interest of the Township to purchase certain real property located in the Township and that the Township Administrator and the Assistant Township Administrator for Operations are hereby designated to represent this Board in negotiating Real Property Purchase and Sale Agreement with respect to said real property; provided that the maximum aggregate purchase price for all parcels of such real property to be acquired pursuant to this Resolution together with due diligence costs estimated at Five Thousand Dollars (\$5,000) shall not exceed Seventy Thousand Dollars (\$70,000).

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


There was no further discussion.

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

As there was no further business, the meeting adjourned.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
April 16, 2020

These minutes were approved at the meeting of May 21, 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 16<sup>th</sup> day of April 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of May, 2020.

  
Kenneth G. Dietz  
Fiscal Officer

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

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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

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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

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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

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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.

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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.

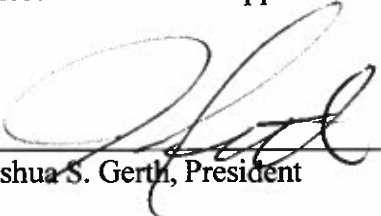
Also present telephonically, and for the record, were Lisa Dailey and Katie Zinn.

**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.

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*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

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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

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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



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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.

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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:

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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

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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

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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**

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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.

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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

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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

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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.

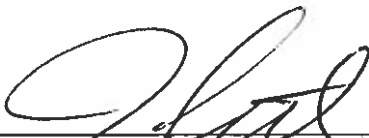
**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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.**

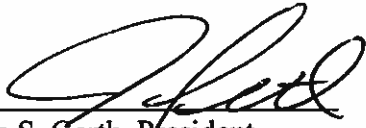
**Mr. Gerth moved to adjourn the meeting. Mrs. Stone seconded the motion.**

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.

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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.**

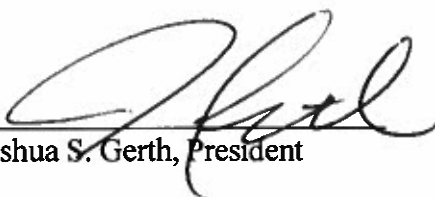
**Mr. Gerth moved to return from Executive Session. Mr. Pappas seconded the motion.**

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.

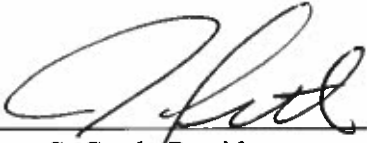
**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

**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

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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.

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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

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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

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**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.

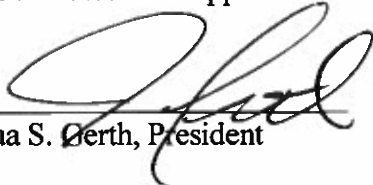
ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
June 18, 2020

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.

  
\_\_\_\_\_  
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 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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*

*July 16, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on July 16, 2020, at 5:30 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the July 16, 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 Hearing for the 2021 Preliminary Tax Budget 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 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 Human Resources Suzanne Parker
- Assistant Administrator for Operations Steve Sievers
- Planning and Zoning Director Paul Drury
- Hamilton County Sheriff’s Deputy Brian D. Hayes & Sgt. Kevin Bley
- 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.

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment or employment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), to confer with the Law Director concerning disputes that are the subject of pending or imminent court action as permitted by Ohio Revised Code 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). 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. Mrs. Stone 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.

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

#### PUBLIC HEARINGS

**Mr. Gerth opened the public hearing for the 2021 Preliminary Tax Budget**

2021 Preliminary Tax Budget – **Mr. Dietz** explained that each year the Township was required to submit a tax budget for the next fiscal year. He pointed out that during these unprecedented times expenditures and revenues were unpredictable. The 2021 tax budget was approximately \$46,500,000. The Public Works budget would be greatly affected by the recent passage of House Bill 4, which would allow several expenditures to be transferred to the Tax Increment Financing (TIF) fund including retirement, salaries and materials. This equated to approximately \$1,000,000. \$800,000 was also transferred from the General Fund to Public Works to cover additional expenses. All other funds were in good order.

**Mr. Gerth** asked if anyone would like to comment on the 2021 Preliminary Tax Budget.

Hearing no comments **Mr. Gerth** closed the public hearing.

**Resolution 20-0716-01: Mrs. Stone moved to approve the 2021 Preliminary Summary Tax Budget as presented by the Fiscal Officer. 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 FORUM

The following comments were received via email.

*"My name is Jeff Barton, and I am a resident of Anderson Township. My comment is in regards to Dee Stone and her being on Beechmont Avenue with a Black Lives Matter sign in her hand. Does Ms. Stone really understand what this group stands for? Is she for the destruction of the nuclear family? And if Ms. Stone says she was at these protests to support the need for more diversity in Anderson, why does she not practice what she preaches. Why does she not have one African American on her foundation's 28-member board? Thank you for your time."*

*"My name is Lisa Daly, 8136 Hopper Road. I want Ms. Stone to make a public statement as to why she chose to protest alongside BLM on or around June 13th and then again on June 26th. I also would like to know if Ms. Stone has ever read the BLM mission statement, specifically where it says, I quote, "we disrupt the western prescribed nuclear family structure." If Ms. Stone agrees with that, she has no business being an Anderson Township Trustee."*

## TRUSTEE COMMENTS

"Anderson Together Now" – **Mr. Gerth** stated that a community conversation "Anderson Together Now" was recently held at Big Ash Brewing. The idea was to get people together to have conversations about what could be done to improve the community. He wanted to thank everyone who attended and those who helped sponsor the event monetarily including Trustees Andrew Pappas and Dee Stone, Julie Bissinger from the Anderson Park District Board, and several corporate sponsors.

Mercy Health Anderson Hospital Named Watson Health Top 100 Hospitals – **Mr. Gerth** announced that Mercy Hospital Anderson was just named one of the Watson Health Top 100 Hospitals for the 13<sup>th</sup> time. Most hospitals across the country strive to achieve this recognition. Mr. Gerth introduced Dr. Feagins, Mercy Hospital Anderson Chief Clinical Officer and Kenneth James, East Market President and CEO of Mercy Hospital Anderson. **Dr. Feagins** complimented Mr. Gerth and the coordinators of "Anderson Together Now". He felt it was a good example of how people could come together and socially distance during these unusual times. He introduced Kenneth James, East Market President and CEO of Mercy Hospital Anderson. **Mr. James** stated that there were over 3,000 hospitals that were eligible for this recognition and to receive it 13 times was remarkable. He pointed out that no other hospital in the Cincinnati region obtained the designation this year. The evaluation process uses a very balanced score card looking at clinical, operational, and financial matrixes. There was no application process, IBM/Watson Health only used publicly reported data for this methodology in terms of determining the top 100 hospitals. There were 5 categories, large teaching, teaching, large community, medium and small. Anderson fell into the large community hospital category. In each category, there were only 20 hospitals that

define excellent care similar to what was being provided in this local community. He thanked the Board for the opportunity to share this achievement.

**Mrs. Stone** congratulated Mercy Hospital stating that they were an asset to the community and one of the largest employers in the Township. She pointed out how important it was for everyone to wear masks in public settings and practice social distancing, staying at least 6 feet away from other people, to stop the spread of COVID-19 and to ensure that schools could open in the fall.

**Mr. Pappas** congratulated Mercy Hospital, stating it was a well-deserved recognition.

**Mr. Pappas** agreed that the only way to sustain the *economy* and to *keep* businesses and communities *open* was for people to follow the rules by *wearing masks and social distancing*.

#### **FISCAL OFFICER**

Financial Reports – **Mr. Dietz** announced that the financial reports through the first half of the year were available for review.

Minutes –

**Resolution 20-0716-02: Mr. Pappas moved to approve the minutes of May 7, 2020; May 14, 2020; and May 21, 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.**

**Mr. Gerth** announced that Governor DeWine recently signed Senate Bill 4 into law, which would allow townships to temporarily use a portion of unencumbered TIF funds to cover costs associated with road repair and maintenance. This allowed the Township the ability to stave off a levy and save taxpayers millions of dollars. **Mr. Pappas** pointed out that Mr. Gerth campaigned vigorously for the passage of this the bill.

#### **LAW DIRECTOR**

**Mrs. Comey** had nothing requiring Board action.

#### **PLANNING & ZONING**

Ohio River Trail Connectivity –

**Resolution 20-0716-03: Mrs. Stone moved to authorize the Township Administrator to enter into an agreement with IBI Group to provide surveying and engineering services for potential alignments of a bicycle connection from the existing Ohio River Trail East (terminating at Five Mile) to eastbound/westbound bike lands on Kellogg Ave, and prepare**



**a construction cost estimate, including drainage, walls, ROW acquisition and utility relocations (as appropriate), for a cost not to exceed \$23,000. Mr. Pappas seconded the motion.**

There was no further discussion.

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

## **SHERIFF'S OFFICE**

**Closed Circuit Television (CCTV) Program** – **Deputy Hayes** explained that the Security Camera Registration Program allowed residents and business owners to register the locations of their video surveillance systems with the Hamilton County Sheriffs Office to help deter and fight crime in the community. Through this camera registration program, the Sheriff's Department would be able to identify locations of cameras that were nearby crime scenes and contact residents for video surveillance footage. This new community policing tool worked in concert with both the Neighborhood Watch and Business Watch groups. There was no cost to register a security camera. Registration was completely voluntary and could be cancelled at any time. **Mr. Gerth** pointed out that this was another way the Township could combat petty crimes.

**Sgt. Bley** announced that he had accepted a position as a supervisor with the Hamilton County Sheriff's Office Traffic Division. He added that he had spent seven years in the Township and wanted to thank everyone for their support and professionalism. **Mr. Gerth** congratulated him on his promotion and thanked him for the last seven years of service to the Township. **Mr. Dietz** added that he had been a tremendous asset to the community. **Mr. Pappas** stated that he would be missed. **Mrs. Stone** stated that she appreciated his service to the Township.

## **PUBLIC WORKS DEPARTMENT**

**2020 Hamilton County 20% Distribution Funds Program** –

**Resolution 20-0716-04: Mr. Pappas moved to authorize the application of the Hamilton County 20% Distribution Funds application, in the amount of \$58,720, to be used towards the 2020 Curb project currently underway for the Asbury Hills subdivision with the remaining funds applied to the 2021 Paving Program. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**Copperglow Bid Results** – **Mr. Luginbuhl** stated that there was a bid opening on July 7<sup>th</sup> at 10 a.m. One bid was received but unfortunately the bid packet was filled out incorrectly; therefore, the bid could not be accepted. A second bid was received after the 10 a.m. deadline. That bid packet was not opened and returned to the contractor. Another bid opening had been

rescheduled for August 7<sup>th</sup> at 10 am and he was sure both of the contractors would submit bids again.

## **FIRE & RESCUE DEPARTMENT**

Mrs. Comey had nothing requiring Board action.

## **ADMINISTRATION**

### Ohio Township Association Workers' Compensation Group Rating Program –

**Resolution 20-0716-05: Mrs. Stone moved to authorize payment of \$26,494 to CareWorks Comp for Anderson Township's participation in the 2021 Ohio Township Association's group rating program. Mr. Pappas seconded the motion.**

There was no further discussion.

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

### Center for Local Government Benefits Pool Medical Insurance Renewal –

**Resolution 20-0716-06: Mr. Pappas moved to authorize the Assistant Township Administrator for Human Resources to renew the Township's employee medial insurance plan through the Center for Local Government Benefits Pool as presented. Mrs. Stone seconded the motion.**

There was no further discussion.

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

COVID-19 Update – Mrs. Earhart reiterated the importance of wearing masks, hand washing and social distancing in order to continue the decrease of COVID-19 cases. A number of calls had been received regarding Party on the Plaza, and per the Governors orders outside events were not permissible at this time.

Mrs. Earhart explained that Anderson Senior Center remained closed due to the venerable population and the threat of spread of the disease. Staff was continuing to contact senior center members either via zoom calls to do check ins or contacting them directly to make sure their needs were being met. Cincinnati Area Senior Services was continuing to deliver meals to those in need.

Mrs. Earhart pointed out that the Fiscal Office, Administration and the Fire and Rescue Department were heavily involved in navigating the various funding that was available through the Federal Government, United States Treasury, CARES Act, Hamilton County and FEMA. Expenses were being documented to seek reimbursement where possible.

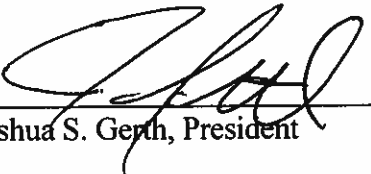
ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

July 16, 2020

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of September 24, 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 16th day of July 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 24<sup>th</sup> day of September, 2020.

  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 6, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on August 6, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the August 6, 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, Planner 1 PJ Ginty, 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.**

**TRUSTEES/FISCAL OFFICER**

**Resolution 20-0806-01: Mrs. Stone** moved to adopt a resolution approving and endorsing representatives and alternates for district two (Hamilton County) Public Works Integrating Committee pursuant to Section 164.04 of the Ohio Revised Code as follows; **Mr. Pappas** seconded the motion:

**RESOLUTION NO. 20-0806-01**

**RESOLUTION APPROVING AND ENDORSING  
REPRESENTATIVES AND ALTERNATES FOR DISTRICT TWO (HAMILTON  
COUNTY) PUBLIC WORKS INTEGRATING COMMITTEE PURSUANT TO  
SECTION 164.04 OF THE OHIO REVISED CODE**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 6, 2020

**WHEREAS**, Section 164.04 of the Ohio Revised Code provides for the appointment of representatives and alternates to the District Two public works integrating committee (the "District 2 PWIC"); and

**WHEREAS**, Section 164.04(A)(2) of the Ohio Revised Code provides that two members of the District 2 PWIC shall be appointed by a majority of the boards of township trustees in the district; and

**WHEREAS**, Section 164.04(B) of the Ohio Revised Code provides that the appointing authorities that appoint district committee members also may appoint an alternate for each committee member appointed; and

**WHEREAS**, Section 164.04(C) of the Ohio Revised Code provides that the terms of district committee members and their alternates shall be for three years;

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

**SECTION 1.** That this Board hereby approves and endorses the candidacy of Denny Connor and Tony Rosiello to serve as members of the District 2 PWIC and of Dan Unger to serve as Mr. Connor's alternate to serve on the District 2PWIC in Mr. Connor's absence and Joshua S. Gerth to serve as Mr. Rosiello's alternate to serve on the District 2 PWIC in Mr. Rosiello's absence, each for a term of three years.

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

**SECTION 3.** 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.

There was no further discussion.

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

**DISCUSSION ITEMS**

Liquor License Request for Kroger Limited Partnership I, dba Kroger 915-A, located at 7580 Beechmont Avenue –

**Resolution 20-0806-02: Mrs. Stone moved not to object to a liquor agency contract for Kroger Limited Partnership I, dba Kroger 915-A, 7580 Beechmont Avenue. Mr. Pappas seconded the motion.**

There was no further discussion.

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

Small/Micro Cell Site “Design Guidelines” – Mr. Sievers stated that in 2018 the Board adopted design guidelines and policies regarding deployment of small/micro cell sites in the public rights-of-way and private properties. As this field continued to evolve, the guidelines had been updated to reflect changes. The updated guidelines, before the Board, apply to new telecommunications equipment no greater than 35’ in height, which were proposed for county and township rights-of-ways and new telecommunications equipment greater than 35’ in height in residential zoning districts. These standards provide guidance to potential providers, and other government agencies working with such equipment. The major changes carry over from the previous guidelines, but additional guidelines and recommendations were added relating to items that would give staff more ability to work through some of the concerns from residents as this technology continues to be rolled out in the Township.

Stormwater Detention Update – Mr. Sievers explained that in May the Board took action to authorize a storm basin retrofit study. Sustainable Streams has begun their assessment of 33 stormwater basins in the Township. There were approximately 130 above ground basins in the Township and 30 of those revealed potential maintenance needs. Staff began re-inspecting those and found that 8 had been addressed or were in compliance, another 7 were in the process of being improved, and 4 additional basins were referred to Hamilton County for enforcement. The Board, in May, also indicated their support in moving forward with a possible resolution that would give the Township an enforcement tool which would help assist in situations where a storm basin was not being probably maintained. The reshaping of the Clough basin bypass channel continues and should be completed by fall so the revegetation of this area could occur.

**Mr. Gerth moved to retire to Executive Session to consider the appointment, employment, or compensation of a public employee or official as permitted by Ohio Revised Code 121.22 (G)(1), to consider the purchase of property for public purposes or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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 consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mrs. Stone seconded the motion.**

There was no further discussion.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 6, 2020

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

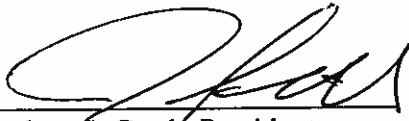
**Mr. Pappas moved to return from Executive Session. Mrs. Stone seconded the motion.**

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 September 24, 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 6<sup>th</sup> day of August 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 24th day of September, 2020.

  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

August 20, 2020

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on August 20, 2020, at 5:30 p.m., at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the July 16, 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 Hearing for the 2021 Preliminary Tax Budget 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 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 Human Resources Suzanne Parker
- Assistant Administrator for Operations Steve Sievers
- Planning and Zoning Director Paul Drury
- Planner 1 PJ Ginty
- Planner 1 Sarah Donovan
- Hamilton County Sheriff 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.

**Mr. Gerth called the meeting to order and moved to retire to Executive Session moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code 121.22(G)(1) and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

**Mr. Gerth recuse himself during executive session from 5:00 pm to 5:30 pm.**

**Mr. Gerth moved to return from Executive Session. Mrs. Stone 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 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.**

## **PRESENTATIONS AND RECOGNITIONS**

Recognition of Tree Award Recipients – **Mr. Ginty** announced the Tree Award recipients. Shelby Banks, Jesse Caldwell, Anderson Township, and Gloria Timberlake.

2020 Beautification Awards – **Ms. Donovan** announced the 2020 Beautification Award winners. 7215 Royalgreen Drive, Outstanding Residential Design, and Anthology of Anderson, 6849 Beechmont Avenue, Outstanding Commercial Design.

## **PUBLIC FORUM**

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

**Tod Taylor, 2359 N. Heather Hill Blvd,** asked if Mrs. Stone authored the “Remove the Anderson High School's Redskins Logo and Mascot” resolution that was used by the Forest Hills School District and, if so, was it ethical for a Trustee to be involved in school business. **Mrs. Stone** explained that the public forum portion of the meeting did not engage in back and forth discussion. **Mr. Taylor** apologized and stated he would try to email her again and perhaps he would get an answer.

## **TRUSTEE COMMENT**

**Mrs. Stone** stated that the Governor's office announced that Senior Centers may be permitted to open, and guidelines would be forthcoming. There was no guarantee, but she wanted residents to know that the Senior Center Advisory Committee had been working on steps to open safely when permitted.

**Mr. Pappas** commended staff on the way they had adapted to the COVID-19 situation. He pointed out that staff had managed to keep the Township functioning, when other parts of the country were shut down.

**Mr. Gerth** reminded everyone that there would be no tax levy on the ballot, for Township residents, this fall. Thanks in part to several people who were able to get some important legislation passed at the State level to utilize restricted funds. This was a great example of government actually working for the people and unfortunately it would not get reported. He was going to do everything he could to make sure that the residents understood what an achievement this was, and the people that helped should be commented. He thanked everyone involved.

#### **FISCAL OFFICER**

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

#### Minutes –

**Resolution 20-0820-01:** **Mr. Pappas** moved to approve the minutes of May 29, 2020; June 4, 2020; June 9, 2020; and June 18, 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**

**Mrs. Comey** had nothing requiring Board action.

#### **PLANNING & ZONING**

#### 2021 Comprehensive Plan Update Request for Proposals –

**Resolution 20-0820-02:** **Mrs. Stone** moved to release the Request for Proposals for the 2021 Comprehensive Plan Update process in order to select a consultant to complete the plan update, with a budget to not exceed \$100,000. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

Paddison Road Sidewalk – Drainage Study –

**Resolution 20-0820-03:** Mr. Pappas moved to enter into a contract with the Kleinger's Group to 1) complete a preliminary drainage study to explore the feasibility of upsizing culverts in the project area, and 2) complete a complete study to construct a detention basin outside the project area, for a total amount not to exceed \$13,500, using funds available in Anderson Trails TIF budget, allowing the township to move forward with the necessary next steps to advance the sidewalk project which could begin construction in late 2021. Mrs. Stone seconded the motion.

There was no further discussion.

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

**SHERIFF'S OFFICE**

Lt. McElroy had nothing requiring Board action.

**PUBLIC WORKS DEPARTMENT**

Recommended Bid Acceptance for Copperglow Court Culvert Pipe –

**Resolution 20-0820-04:** Mrs. Stone moved that the Board hereby accepts the Bid of \$147,600.00, from Proshot Concrete, Inc deemed to be the most responsive and responsible bidder for the Copperglow Court Culvert Pipe project in accordance with the bid plans and specifications , together with a 10% contingency, for a maximum appropriation of \$162,360.00 in grant and Road & Funds; further, this Board hereby authorizes and directs the Township Administrator to give timely Notice of Award to the contractor and, after consultation with the Law Director, to enter into a contract with Proshot Concrete, Inc. in accordance with its bid for the Copperglow Court Culvert Pipe project. Mr. Pappas seconded the motion.

There was no further discussion.

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

Resolution Awarding Contract and Confirming Assessments for Landings of Anderson – Phase I Lighting District –

**Resolution 20-0820-05:** Mr. Pappas moved to adopt a resolution awarding contract and confirming assessments for Landings of Anderson – Phase I Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 20-0820 -05**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
LANDINGS OF ANDERSON – PHASE I LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$23,589.50 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

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3. That special assessments for the aforesaid lighting improvements in the amount of \$20,790.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,598.75 in inflationary cost increases projected over said five-year period, plus \$200.75 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, **aggregating a total special assessment of \$23,589.50 (which equates to \$85.78 per parcel per year or \$42.89 per parcel per semiannual assessment)**, are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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

Resolution Awarding Contract and Confirming Assessments for Ashton Grove Lighting District –

**Resolution 20-0820-06: Mrs. Stone moved to adopt a resolution awarding contract and confirming assessments for Ashton Grove Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0820 -06**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
ASHTON GROVE LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$4,392.30 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

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3. That special assessments for the aforesaid lighting improvements in the amount of \$3,726.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$465.75 in inflationary cost increases projected over said five-year period, plus \$200.55 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$4,392.30 (which equates to \$79.86 per parcel per year or \$39.93 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of ~~\$5.00 or less~~, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

**Resolution Awarding Contract and Confirming Assessments for Fox Trail Farms Lighting District –**

**Resolution 20-0820-07: Mr. Pappas moved to adopt a resolution award contract and confirming assessments for Fox Trail Farms Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0820 -07**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
FOX TRAIL FARMS LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$12,755.60 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;



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3. That special assessments for the aforesaid lighting improvements in the amount of \$11,160.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$1,395.00 in inflationary cost increases projected over said five-year period, plus \$200.60 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$12,755.60 (which equates to \$49.06 per parcel per year or \$24.53 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

**Resolution Awarding Contract and Confirming Assessments for Macintosh Lighting District –**

**Resolution 20-0820-08: Mrs. Stone moved to adopt a resolution award contract and confirming assessments for Macintosh Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0820 -08**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
MACINTOSH LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$8,705.40 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

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3. That special assessments for the aforesaid lighting improvements in the amount of \$7,560.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$945.00 in inflationary cost increases projected over said five-year period, plus \$200.40 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$8,705.40 (which equates to \$79.14 per parcel per year or \$39.57 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

**Resolution Awarding Contract and Confirming Assessments for Sanctuary at Ivy Hills – Phase I Lighting District –**

**Resolution 20-0820-09: Mr. Pappas moved to adopt a resolution award contract and confirming assessments for Sanctuary at Ivy Hills – Phase I Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0820 -09**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
SANCTUARY AT IVY HILLS - PHASE I LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$26,199.00 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

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3. That special assessments for the aforesaid lighting improvements in the amount of \$23,111.40 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,888.93 in inflationary cost increases projected over said five-year period, plus \$198.67 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$26,199.00 (which equates to \$127.80 per parcel per year or \$63.90 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. ~~That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;~~
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

Resolution Awarding Contract and Confirming Assessments for St. James Park Lighting District –

**Resolution 20-0820-10: Mrs. Stone moved to adopt a resolution award contract and confirming assessments for St. James Park Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0820 -10**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
ST. JAMES PARK LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$19,099.50 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

3. That special assessments for the aforesaid lighting improvements in the amount of \$16,800.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,100.00 in inflationary cost increases projected over said five-year period, plus \$199.50 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$19,099.50 (which equates to \$181.90 per parcel per year or \$90.95 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

**Resolution Awarding Contract and Confirming Assessments for Woods at Coldstream Lighting District –**

**Resolution 20-0820-11: Mr. Pappas moved to adopt a resolution award contract and confirming assessments for Woods at Coldstream Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0820 -11**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
WOODS AT COLDSTREAM LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$6,578.60 be and hereby are specially assessed against the real estate bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 20, 2020

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

3. That special assessments for the aforesaid lighting improvements in the amount of \$5,670.00 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$708.75 in inflationary cost increases projected over said five-year period, plus \$199.85 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$6,578.60 (which equates to \$93.98 per parcel per year or \$46.99 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

Resolution Awarding Contract and Confirming Assessments for Wynds of Anderson Phase I Lighting District –

**Resolution 20-0820-12: Mrs. Stone moved to adopt a resolution award contract and confirming assessments for Wynds of Anderson Phase I Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-0820-12**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
WYNDS OF ANDERSON PHASE I LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$25,206.80 be and hereby are specially assessed against the real estate

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 20, 2020

bounding and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

3. That special assessments for the aforesaid lighting improvements in the amount of \$22,229.64 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$2,778.71 in inflationary cost increases projected over said five-year period, plus \$198.45 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$25,206.80 (which equates to \$122.96 per parcel per year or \$61.48 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

Resolution Awarding Contract and Confirming Assessments for Wynds of Anderson Phase II Lighting District –

**Resolution 20-0820-13: Mr. Pappas moved to adopt a resolution award contract and confirming assessments for Wynds of Anderson Phase II Lighting District pursuant to Revised Code Sections 9.30, 515.081, 515.11 & 515.08 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-0820 -13**

**AWARDING CONTRACT AND CONFIRMING ASSESSMENTS FOR  
WYNDYDS OF ANDERSON PHASE II LIGHTING DISTRICT  
PURSUANT TO REVISED CODE SECTIONS 9.30, 515.081, 515.11 & 515.08**

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

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

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

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

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

1. That the existing contract with Duke Energy be renewed by the award hereby of a new contract with Duke Energy pursuant to the provisions Section 515.081 of Ohio Revised Code for a period of five years from the date of expiration of said existing contract upon the terms and conditions of this Resolution, and that the Township Administrator is hereby authorized to execute such contract and any documentation required in connection therewith on behalf of the Township subject to review by legal counsel.
2. That the costs of the artificial lighting of the District as heretofore provided in the total amount of \$9,128.00 be and hereby are specially assessed against the real estate bounding

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and abutting upon the streets or public ways so lighted and the benefiting lots in the District in accordance with Section 515.08 (D) of the Ohio Revised Code, and that the assessments shall be payable in equal semi-annual installments over a period of five years;

3. That special assessments for the aforesaid lighting improvements in the amount of \$7,936.80 in contracted payments to Duke Energy at the current rate for fixtures, electricity, installation and maintenance, plus \$992.10 in inflationary cost increases projected over said five-year period, plus \$199.10 in average cost per lighting district renewal for administrative and legal costs for services of Township personnel and legal counsel, aggregating a total special assessment of \$9,128.00 (which equates to \$114.10 per parcel per year or \$57.05 per parcel per semiannual assessment), are hereby levied and assessed upon the lots and lands located within the District, which assessments are in accordance with the benefits which will result to the real property charged herewith;
4. That any assessment in the amount of \$5.00 or less, or of which the unpaid balance is \$5.00 or less, shall be paid in full and not in installments at the time the first or next installment would otherwise become due;
5. That the Anderson Township Fiscal Officer is hereby authorized and directed to certify a copy of this Resolution and of said assessments levied hereby to Duke Energy and to the Hamilton County Auditor, and said Auditor is hereby authorized and directed to place said special assessments upon the tax duplicate to be paid and collected in the same manner and at the same times that taxes are paid and collected.
6. That Duke Energy be and hereby is authorized and directed to provide the services described in this Resolution.

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 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.**

**FIRE & RESCUE**

Chief Martin had nothing requiring Board action.

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**ADMINISTRATION**

Small/Micro Cell Site “Design” Guidelines –

**Resolution 20-0802-14: Mrs. Stone moved to authorize the amendment of Resolution No. 18-0315-11, to update small/micro cell site “design guidelines” for Anderson Township rights of ways in Hamilton County, Ohio. Mr. Pappas seconded the motion.**

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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 the Ohio Public Health Department had created an advisory system that color coded the counties in Ohio to help inform the public and business owners what the COVID-19 status was in their particular area. Hamilton County was at a level orange. Orange meant that there was a public emergency, there was a risk of increased exposure and spread of the contagion and the public should exercise a high degree of caution. Orange was below the red level, which is where Hamilton County was a few weeks ago. The level red required that people limit their activities to reduce the spread of the virus. Hamilton County had been quoted by the Governor several times as a success story due to the fact that people were wearing masks. In Hamilton County presently there were 5,594 cases, 549 hospitalism’s, and 172 deaths. In zip codes 45255 there were 91 cases, 90 cases in 45230, and 77 cases in 45244. The Governor announce that the Anderson Senior Center and senior centers across the State would likely be able to open at the end of September. She cautioned everyone to be cautiously optimists because things could change rapidly. The difficult decision had been made to cancel some upcoming events including Emergency Services Day, the Veterans Day Celebration, and trick or treating at the Towne Center. Initially the Township starts receiving calls in August about trick or treating in the Township, she was reluctant to set a date and time until she received guidance from the Ohio Department of Health and the State. Staff was also working on updating revenue and financial statistics dealing with how the COVID-19 pandemic had impacted revenue from EMS billing to the gas tax, and property taxes.

**Mr. Gerth moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code 121.22(G)(1) Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; 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.**

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
August 20, 2020

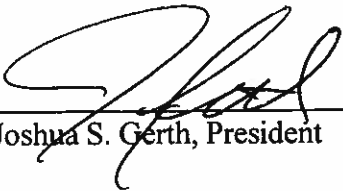
There was no further discussion.

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

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of October 15, 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 20th day of August 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 15<sup>th</sup> day of October, 2020.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
September 3, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on September 3, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the September 3, 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, Planner 1 PJ Ginty, 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. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

#### **DISCUSSION ITEMS**

##### **Nuisance Abatement -6067 Strathburn –**

**Resolution 20-0903-01: Mr. Pappas** moved to adopt a resolution providing for the repair and securance of unsafe structure on land owned by William Twombly and Martha Twombly (deceased), located at 6067 Strathburn Court, in Anderson Township, and providing for notice, pursuant to Section 505.86 of the Revised Code as follows; **Mrs. Stone** seconded the motion:

#### **RESOLUTION NO. 20 - 0903 - 01**

**RESOLUTION PROVIDING FOR THE REPAIR AND SECURANCE OF  
UNSAFE STRUCTURE ON LAND OWNED BY WILLIAM TWOMBLY AND  
MARTHA TWOMBLY (DECEASED), LOCATED AT 6067 STRATHBURN**



**COURT, IN ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE,  
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 structure (the "Structure") located at 6067 Strathburn Court, Anderson Township, Ohio 45230 (further identified as Hamilton County Auditor's Parcel No. 500-0411-0047-00) (the "Property"), requires securance, as provided herein; and

WHEREAS, the Township's Zoning and Planning staff have visually inspected the Property and found that soffits at the front of the structure are damaged, are deemed unsafe and insecure, and require repair, replacement and/or securance; and

WHEREAS, the owners of record of the Property and Structure are William Twombly and Martha Twombly (Deceased) (the "Owner"); and

WHEREAS, the last known mailing address of the Owner is 6067 Strathburn Court, Cincinnati, OH 45230; and

WHEREAS, tax bills are mailed by the Hamilton County Auditor to Corelogic, 2500 Westfield Dr, Ste 102, Hoffman Estates, IL 60124;

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

SECTION 1. The Fiscal Officer, on behalf of this Board, shall give notice by certified mail to each party in interest with respect to the Property, which under the Statute includes "an owner of record of the real property on which the building or structure is located, and includes a holder of a legal or equitable lien of record on the real property or the building or other structure," of the Board's intention to provide for the repair and securance 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. 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, once in a newspaper of general circulation in the Township.

SECTION 2. Upon the expiration of thirty (30) days from the date of giving the notice or notices provided for in SECTION 1 hereof, then unless the Structure has been completely repaired

and secured, or unless the Owner or the holders of liens of record upon the Property shall have entered into an agreement with the Board to perform the repair and securance of the Structure under Section 505.86 of the Revised Code, the Township Administrator shall proceed to provide for the repair and securance of the Structure in accordance with SECTION 1 hereof, and the "total cost" of such repair and securance, as defined in Section 505.86(A) of the Revised Code, which total cost shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Revised Code.

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

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

There was no further discussion.

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

**COVID-19 Update – Mrs. Earhart** explained that Hamilton County was seeing an increase in positive cases. Hamilton County Health Department and Hamilton County Commissioners had tied this increase to the reopening of universities. Commissioner Driehaus had reached out to the University of Cincinnati and Xavier University to encourage students and staff to take proactive measures by wearing masks and maintaining social distancing. The concern was that while the students may be spreading the disease they were going home to parents and grandparents that could ultimately cause an increase in hospitalization or deaths moving forward. The reproductive value which was in the .92 to .84 range in August was now at 1.28 as of September 1<sup>st</sup>. Therefore, Hamilton County and Governor DeWine were encouraging everyone to be cautious over the Labor Day weekend.

**Mrs. Earhart** stated that the Townships EMS billing provider has indicated that there would be an approximate 20% reduction in EMS revenues over the course of the year which would bring that line item down from \$1,000,000 to \$800,000 in revenue. On the positive side another CARES Act Coronavirus Aid distribution was received in the amount of \$251,000 which brought the total revenue received up to approximately \$754,000. The funding that was being provided to communities to support the purchase of PPE (Personal Protection Equipment) and other items that were related to COVID-19. Staff had been in the process of going through every expenditure and every anticipated expenditure to see what can be justified under the CARES Act. That has taken some time and the biggest challenge was that the guidance from the State changed often. Staff had been working with the legislature, and Hamilton County has been very cooperative in helping to get to better clarity as well. The Anderson Township Park

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
September 3, 2020

District (ATPD) had spent approximately \$15,000 in COVID-19 related items and had no opportunity to reclaim any of those dollars except through a sub grant through the Township. Therefore, the Township was working with the ATPD to provide the necessary documentation to reclaim those funds.

**Mrs. Earhart** announced that House Bill 357 had passed in the Senate and was headed to the House. She explained that the important parts of H.B. 357 included an extension to pay back the unencumbered funds relating to the CARES Act Coronavirus Aid distribution. This extension would give staff more time to uncover any unanticipated expenditures and allow for better guidance from the U.S. Treasury Department, Office of Budget and Management at the State level. It would be impossible for the Township to utilize all of the CARES Act Coronavirus Aid distribution; therefore, a portion of those funds would have to be returned.

**Mr. Gerth** moved to retire to Executive Session to consider the appointment, employment, or compensation of a public employee or official as permitted by Ohio Revised Code 121.22(G)(1), to consider the purchase of property for public purposes or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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 consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. **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. Gary Powell participated in Executive Session until 2:30 p.m., Mr. Drury participated until 2:45 p.m.

Mr. Gerth recused himself for the final Executive Session topic and left the meeting at 3:16 p.m.

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

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of October 15, 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 3<sup>rd</sup> day of September 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 15th day of October, 2020.



Kenneth G. Dietz  
Fiscal Officer

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*September 24, 2020*

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on September 24, 2020, at 5:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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), and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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

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

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

There was no further discussion.

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

### **PRESENTATIONS AND RECOGNITIONS**

**Jim Lewis Retirement – Mr. Drury announced that Jim Lewis would be retiring after 30 years of service to the Township.**

## PUBLIC FORUM

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

**Steve Wilhelm, 5510 Wasigo Drive**, stated that he was a neighbor of Big Ash Brewery, and would like to address the excessive noise issue. He understood and applauded Big Ash efforts to start and maintain a business during these trying times. But that success should not be at the expense of long-standing neighborhoods and long-time residents. He estimated he lived approximately a mile away from Big Ash, and on many evenings he finds it impossible to enjoy his property. He has tried to communicate with Big Ash, three times, in three different modes, with no response. ~~He was encouraged that things were going to get better due to the weather change but was also fearful that next year the problem was going to resurface.~~ He asked what commitment, if any, had Big Ash made that the situation was going to improved.

**Kathy Mullaney, 7609 Forest Road**, stated that she wanted to extend her appreciation to Matt Rusk from the Sheriff's Department for sharing the data that was compiled regarding the traffic situation on Forest Road. The report indicated that 1,600 cars travel Forest Road a day. She stated that Deputy Rusk shared her concern that the proposed entertainment district would increase traffic problems for the residents on Forest Road.

Her second issue was regarding fireworks over Labor Day. She cleaned up 47 M80 shells from neighbors and had to pay \$260 in fence repairs. **Mr. Pappas** stated that the Sheriff's Department would investigate.

**Dave Emery, 2725 Montchateau Drive**, stated that he was the managing partner of Big Ash Brewing. He realized that there had been several noise complaints, and he appreciated Mr. Wilhelm's comments and letter. He has compiled a list of the things that could help the situation. On the weekends, Friday and Saturday nights, the music will stop at 10:30 p.m. Sunday through Thursday, school nights, the music will stop at 9:30 p.m. and they request that the bands keep the sound at the minimum level and reduce the subwoofer. There will be no live music, outdoors, after October. He appreciated the help and from the Sheriff's Department. They want to be good neighbors and part of the community. He appreciated their tolerance and understanding as he works through all this issues.

## TRUSTEE COMMENTS

**Mrs. Stone** encouraged everyone to keep wearing masks.

**Mr. Pappas** pointed out that it had been six months since there had been an in-person Board Meeting. He wanted to thank staff for making everything run seamlessly.

## FISCAL OFFICER

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

Appropriation Changes –

**Resolution 20-0924-01: Mr. Pappas moved to adopt the appropriation changes as recommended by the Fiscal Officer. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Approval of Minutes –

**Resolution 20-0924-02: Mr. Pappas moved to approve the minutes of July 16, 2020; and August 6, 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**

Annual Information Filing –

**Resolution 20-0924-03: Mrs. Stone moved to adopt a resolution accepting and approving the Annual Information Filing of the Township for fiscal year 2019 and directing its filing with the MSRB for continuing disclosure as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 0924 – 03**

**RESOLUTION ACCEPTING AND APPROVING THE ANNUAL INFORMATION FILING OF THE TOWNSHIP FOR FISCAL YEAR 2019 AND DIRECTING ITS FILING WITH THE MSRB FOR CONTINUING DISCLOSURE PURPOSES**

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

WHEREAS, the 2014 CDA requires that the Township file certain annual information and operating data with the Municipal Securities Rulemaking Board (the “MSRB”) through the MSRB’s electronic filing system known as EMMA (“EMMA”);

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

WHEREAS, the 2019 CDA requires that the Township file certain annual information and operating data with the Municipal Securities Rulemaking Board (the "MSRB") through the MSRB's electronic filing system known as EMMA ("EMMA");

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

SECTION 1. That the Annual Information Filing for Fiscal Year 2019 (the "Annual Information Filing"), be accepted and approved in substantially the form before this Board with such changes thereto as shall not, in the opinion of the Fiscal Officer and the Township Administrator ~~after consultation with the Law Director, be detrimental to the Township, such~~ determination being evidenced by the signing of the document by the Fiscal Officer; and, further, that the Township Administrator is hereby authorized and directed to file, or cause to be filed, the Annual Information Filing with the MSRB by means of the EMMA electronic filing system in a timely manner.

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

There was no further discussion.

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

Resolution Reappointing Township Administrator –

**Resolution 20-0924-04: Mr. Pappas moved to adopt a resolution reappointing the Township Administrator as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0924 – 04**

**RESOLUTION REAPPOINTING TOWNSHIP ADMINISTRATOR**

WHEREAS, pursuant to Section 505.031 of the Revised Code, this Board of Township Trustees ("Board") is empowered to appoint a township administrator ("Township Administrator"), who shall be the administrative head of Anderson Township ("Township") under the direction and supervision of this Board and who shall hold office at the pleasure of this Board; to fix the salary of the Township Administrator; and to cause the same to be paid; and

WHEREAS, when so appointed, the Township Administrator has the duties and powers specified in Section 505.032(A) to (F), inclusive, of the Revised Code (the "Statute") as from time to time amended (a copy of the Statute as in effect at the date hereof being attached hereto



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*September 24, 2020*

as Exhibit A for convenience of reference), and, pursuant to Section 505.032(G) of the Revised Code, such additional duties as this Board may determine by resolution; and

WHEREAS, Vicky L. Earhart is qualified by education/experience and performance for reappointment as Township Administrator; now, therefore

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

SECTION 1. Vicky L. Earhart is hereby reappointed as Township Administrator of Anderson Township, effective on the date of passage of this resolution, upon the terms specified in Exhibit B hereto, which Exhibit B is by this reference incorporated into this resolution.

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

There was no further discussion.

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

Request to Begin Process to Establish Clough Pike West TIF –

**Resolution 20-0924-05: Mrs. Stone moved to authorize the Township Administrator to cause notices to be sent to the Forest Hills Local School District and to Great Oaks Institute of Technology and Career Center /Joint Vocational School District pursuant to Section 5709.73 of the Ohio Revised Code pertaining to the proposed Clough Pike West tax increment financing area, to be known as the Clough Pike West TIF area. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**PLANNING & ZONING**

**Mr. Drury** had nothing requiring Board action.

**SHERIFF'S OFFICE**

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

**FIRE & RESCUE DEPARTMENT**

Motion to Accept Assistance to Firefighters Grant Program – COVID-19 Supplemental Grant –

**Resolution 20-0924-06: Mr. Pappas moved to authorize the Fire and Rescue Department to accept a Assistant to Firefighters Grant Program – COVID-19 Supplemental Grant (Award EMW-2020-FG-01231) from the U.S. Department of Homeland Security in the amount of \$23,236.36 for the purchase of supplemental personal protection equipment (PPE). Mrs. Stone seconded the motion.**

There was no further discussion.

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

**TOWNSHIP ADMINISTRATOR**

Halloween Trick-or-Treat –

**Resolution 20-0924-07: Mr. Pappas moved to adopt a resolution designating Halloween Trick-or-Treat as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20 – 0924 – 07**

**DESIGNATING HALLOWEEN TRICK-OR-TREAT**

WHEREAS, on September 18, 2020, Governor Mike DeWine and the Ohio Department of Health issued guidance on “Celebrating Halloween” amid the COVID-19 pandemic, which was revised on September 21, 2020, and attached hereto as Exhibit A; and

WHEREAS, the guidance is designed to help curb the spread of COVID-19; and

WHEREAS, this Board agrees with Governor DeWine in that the decision on whether to participate in Halloween festivities should be made by individuals and parents/guardians in accordance with state public health orders and after assessing the Ohio Public Health Advisory System to determine COVID-19 risk levels in Hamilton County <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/public-health-advisory-system/>;

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 determines that Trick-or-Treat hours in Anderson Township shall be from 6:00 PM to 8:00 PM on Saturday, October 31, 2020. The public is strongly encouraged to follow the Responsible RestartOhio Recommended Best Practices which will be reassessed and updated in the weeks leading up to Halloween and available at <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/home>.

Section 2. That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

Section 3. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in 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.**

Resolution Public Policy – Mrs. Earhart stated after receiving guidance from the Ohio Attorney General’s Office, Betty Cowan, Office Manager had been designated as the contact for public records requests. The Board would need to officially appoint her as the recipient of such requests. That action would then be incorporated into the Township’s revised public records policy that would be presented at one of the upcoming Board meetings. She pointed out that in 2020 the Township received 83 requests, which totaled 1,452 pages of documents, and it took staff 33 hours to complete. In 2019, the Township received 137 requests, with totaled approximately 2,100 pages, and took staff 53 hours to complete.

Items Arising for Executive Session Discussion –

**Resolution 20-0924-08:** Mrs. Stone moved to appoint Matt Delaney to the Anderson Township Park District Board of Commissioners, to complete the unexpired term of Robert Herking, effective October 1, 2020. Mr. Pappas seconded the motion.

There was no further discussion.

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

**Resolution 20-0924-09:** Mrs. Stone moved to adopt a resolution authorizing property transfer agreement with Stephen D. West, and accepting donation of real property and interests therein to the Township from Stephen D. West, pursuant to the authority of Section 505.10 of the Revised Code as follows; Mrs. Pappas seconded the motion.

**RESOLUTION NO. 20 – 0924 – 09**

**RESOLUTION AUTHORIZING PROPERTY TRANSFER AGREEMENT WITH  
STEPHEN D. WEST, AND ACCEPTING DONATION OF REAL PROPERTY AND  
INTERESTS THEREIN TO THE TOWNSHIP FROM STEPHEN D. WEST, PURSUANT  
TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

September 24, 2020

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

WHEREAS, Stephen D. West is the fee owner of certain real property identified as Auditor's Parcel No. 500-0330-0055-00, which is located in the Township and described in Exhibit A hereto (the "Property"); and

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

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

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from Stephen D. West pursuant this Board's authority contained in the Statute and pursuant to the terms and subject to the conditions of the Property Transfer Agreement.

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

SECTION 3. This Board hereby accepts the donation of the Property from Stephen D. West, pursuant this Board's authority contained in the Statute and on the terms and subject to the conditions of the Property Transfer Agreement and hereby expresses its appreciation to Stephen D. West and Jackie West for making the generous donation on behalf of the Trust to the Township.

SECTION 4. This Board hereby authorizes Township staff to undertake due diligence with respect to the Property, including obtaining a title report, a survey and, if deemed necessary and appropriate by the Township Administrator, an environmental study, and hereby appropriates \$10,000 for the purpose of paying the costs of undertaking such due diligence with respect to the Property.

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
September 24, 2020

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

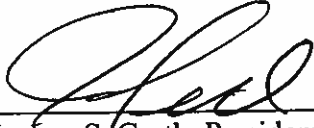
SECTION 6. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of November 19, 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 24<sup>th</sup> day of September 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 19th day of November, 2020.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
October 8, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on October 8, 2020, in the Emergency Operations Center at Anderson Center, with staff and others joining via teleconference.

**Mrs. Earhart** welcomed everyone to the October 8, 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, Planner 1 PJ Ginty, 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. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

#### TRUSTEE COMMENTS

##### Appropriation Change –

**Resolution 20-1008-01: Mr. Gerth** moved to adopt the appropriation change as outlined by **Fiscal Officer Ken Dietz**. **Mrs. Stone** seconded the motion.

##### Appropriation Increase New Fund 52 – CARES ACT/COVID-19

##### CARES ACT/COVID-19

**52.1100.01      +\$1,587,878                      Cares Act/Covid-19 expenses**

There was no further discussion.

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

**Mr. Gerth** announced that the federal transportation awarded \$750,000 for the Elstun Road Connector. The grant funds were supplied through the Transportation Alternatives Grant Program through the Ohio, Kentucky, Indiana (OKI) Regional Council of Governments. This link will create a vital connection from the redeveloping Skytop site in Anderson, and neighborhoods in Mt. Washington to several regional trails.

## DISCUSSION ITEMS

### Acceptance of Parkside Lake Drive and Forestedge Drive –

**Resolution 20-1008-02: Mrs. Stone moved to support the Hamilton County Engineer's acceptance of Parkside Lake Drive and Forestedge Drive, which lie in the Woods of Forest Hills Subdivision, as Township roadways. Mr. Pappas seconded.**

There was no further discussion.

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

Speedway Request for Driveway on Eight Mile Road – Mr. Drury stated that staff had been in communication with Speedway regarding the potential redevelopment at the corner of Beechmont and Eight Mile. This would include a complete redevelopment of the site, removal of all buildings, a construction of a new Speedway building along with reconfiguration of gas pumps. In April Speedway presented a conceptual site plan for the property, staff did a zoning review which would likely entail a Plan Unit Development (PUD) review by the Zoning Commission due to the property being over 60% impervious surface. A conference call between the Township, Ohio Department of Transportation (ODOT), Hamilton County Engineer and Speedway took place regarding specific access management and what a redevelopment would entail. The discussion involved full access to Speedway off of Beechmont Avenue, and Eight Mile Road. Speedway has requested Trustee review and support as they go through the variance process.

**Mr. Sievers** pointed out that historically when properties come up for redevelopment the Beechmont Corridor Plan was used. ODOT uses their access management guidelines and when a property has access on an intersecting street, ODOT normally would not permit another driveway. To get access on Beechmont Avenue requires a variance through ODOT, and the Township was generally supportive of right-in drives, and occasionally right-in/right-out driveways. **Mr. Sievers** noted that a representative of Speedway along with Eric Beck, Hamilton County Engineer and Jeff Newby Hamilton County Traffic Engineer were present. The recommendation from all parties was to be as accommodating as possible and all were willing to consider not only a right-in/right-out, on Beechmont Avenue, but to allow a left-in and ODOT was willing to grant a full access movement. Staff had reservations about people attempting to turn left out of that site. Adding another driveway on Eight Mile was directly counter to the

Beechmont Plan. Therefore, staff's position had remained in concert with the Hamilton County Engineer that a driveway should not be permitted on Eight Mile. Staff was willing to consider the full driveway further north on Eight Mile even though it was not ideal.

**Mr. Pappas** asked with the proposed right-in off of Eight Mile and not the right-out would traffic attempt to cheat the system by either taking a left or an immediate right and the block traffic attempting to get into the left lane. **Mr. Beck**, Hamilton County Engineer, stated that an offer was made to Speedway that if the driveway was properly designed and constructed the Engineers Office would be amenable to a right-in only. **Mr. Sievers** stated whatever action the Board may choose to take; it was ultimately the decision of the Hamilton County Engineers Office and ODOT. This site as currently proposed would be subject to a PUD overlay and presented to the Zoning Commission which could choose to place conditions on the site related to access, design, signage, and cross access. **Mr. Drury** pointed out that with a PUD the Zoning Commission used the recommendations from the Beechmont Plan and the Comprehensive Plan to guide their decision. The Zoning Commission during a PUD hearing has, in the past, also placed conditions on access management, but ideally, ODOT and the Hamilton County Engineers Office and the Township would have some type of agreement before the proposal went to the Zoning Commission.

**Mr. Gerth** stated that based on Mr. Beck's comments Speedway was agreeable to a right-in only, therefore he suggested that the Hamilton County Engineer work with Speedway to come to an agreement. **Mrs. Stone** felt that allowing a right-in drive meant people would attempt to use it as a right-out, as well, creating an issue at the intersection. **Mr. Gerth** pointed out that Mr. Beck had stated that it had to be properly designed and engineered to be a right-out only and turning left would be prohibited. **Mrs. Stone** stated that even if it's just a right-in people would attempt to use it as a right-out. **Mr. Gerth** stated that he did not disagree, but the County Engineer had stated that was something they would be amenable to, and it was ultimately their decision. **Mr. Sievers** noted that perhaps if there was additional feedback Speedway certainly could speak to the Board at the next meeting or submit additional information. **Mr. Gerth** suggested letting Speedway and the County Engineer have another conversation and see if the issued resolved itself.

**Mr. Gerth moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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), 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), and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section**



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
October 8, 2020

**121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mrs. Stone seconded the motion.**

**Mr. Gerth** recused himself from Executive Session and stepped out at 3:05 p.m. He returned at 3:16 p.m. at which point **Mr. Pappas** recused himself from a separate item.

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

There was no further discussion.

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

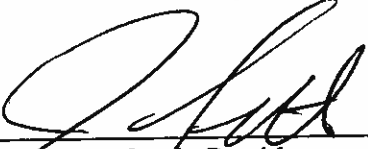
**Mr. Gerth** moved to adjourn at the meeting at 3:21 p.m. **Mrs. Stone** seconded the motion.

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of November \_\_\_\_\_, 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 8<sup>th</sup> day of October 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 19<sup>th</sup> day of November, 2020.

  
Kenneth G. Dietz  
Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

October 15, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular monthly meeting on October 15, 2020, at 5:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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), and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mr. Pappas seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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

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

**Mr. Gerth moved to adopt the agenda with modifications. Mr. Pappas seconded the motion.**

There was no further discussion.

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

## **PUBLIC FORUM**

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

**Charmaine McGuffey thanked the Board for the opportunity to address them and the community. She stated that she was running for Hamilton County Sheriff in the upcoming**

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election. She gave a brief history about her qualifications stating that she has been with the Hamilton County Sheriff's Office for 33 years. She pointed out that she was a retired former Commander of Jail and Court Services and would appreciate the communities support.

**TRUSTEE COMMENTS**

**Mrs. Stone** announced that Corporal Adam McMillian was in a serious accident, and asked for prayers for a speedy recovery.

**Mr. Pappas** added that there was a GoFundMe page set up for Corporal McMillan to help pay medical expenses.

**FISCAL OFFICER**

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

Appropriation Changes –

**Resolution 20-1015-01: Mr. Pappas** moved to adopt the appropriation changes as recommended by the Fiscal Officer. **Mrs. Stone** seconded the motion.

**Appropriation Increase in Fund 14**

**14.1100.0802      +\$2,000,000                      FHSD payments**

There was no further discussion.

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

Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor – **Mr. Dietz** explained that every November, the County Auditor required the Fiscal Officer to review the tax rates that were in force and to certify them.

**Resolution 20-1015-02: Mrs. Stone** moved to accept the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor as follows; **Mr. Pappas** seconded the motion:

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

Board of Township Trustees  
Rev. Code, Secs. 5705.34

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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The Board of Township Trustees of Anderson Township, Hamilton County, Ohio, met in regular session on the 15th day of October 2020, at Anderson Center located at 7850 Five Mile Road, Anderson Township, Ohio 45230 with the following members present:

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

Trustee Stone moved the adoption of the following Resolution No. 20-1015-02:

**WHEREAS**, this Board of Township Trustees of Anderson Township, Hamilton County, Ohio, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2020; and

**WHEREAS**, the Budget Commission of Hamilton County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board and what part thereof is without, and what part within, the ten-mill tax limitation; now, therefore,

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

SECTION 1. That the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION 2. That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within the ten mill limitation as set forth as follows:

SECTION 3. That the Fiscal Officer of this Board be, and is hereby directed, to certify a copy of this Resolution to the County Auditor of Hamilton County.

SECTION 4. That the preamble hereto is and shall for all purposes be construed to be an integral and operative part 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 thereby.

There was no further discussion.

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

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Approval of Minutes

**Resolution 20-1015-03: Mr. Pappas moved to approve the minutes of August 20, 2020; and September 3, 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**

Credit Card Compliance Review –

**Resolution 20-1015-04: Mrs. Stone moved to adopt a resolution accepting the report of the Law Director, as Compliance Officer, provided pursuant to the Anderson Township Credit Card Account Policy (October 2020) as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20 – 1015 – 04**

**RESOLUTION ACCEPTING THE REPORT OF THE LAW DIRECTOR, AS COMPLIANCE OFFICER, PROVIDED PURSUANT TO THE ANDERSON TOWNSHIP CREDIT CARD ACCOUNT POLICY (OCTOBER 2020)**

**WHEREAS**, Section 505.64 of the Ohio Revised Code (the “Statute”) authorizes the use of township credit cards; and

**WHEREAS**, by Resolution No. 19-0418-11, this Board updated its credit card policy and approved and adopted the Anderson Township Credit Card Account Policy (April 2019)(the “Credit Card Policy”) and designated the Township’s Law Director as the Compliance Officer with respect thereto (the “Compliance Officer”) to perform the duties required of a compliance officer by the Statute; and

**WHEREAS**, as required by the Statute, the Credit Card Policy requires that the Compliance Officer and the Board at least once every six (6) months shall review the number of credit cards and accounts issued, the number of active cards and accounts issued, the expiration dates of and the credit limits with respect to such credit cards and accounts (collectively, the “Credit Card Data”), which review was last conducted in April 2020; and

**WHEREAS**, this Board has reviewed the Credit Card Compliance Report of the Law Director;

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

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**SECTION 1.** That this Board hereby accepts and confirms the Credit Card Compliance Report of the Law Director attached hereto as Exhibit A, and by this reference incorporated herein, including the Credit Card Data reported thereby.

**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.**

**PLANNING & ZONING**

Nuisance Abatement, 7080 Hunley Road –

**Resolution 20-1015-05: Mr. Pappas moved to adopt a resolution determining existence of nuisance of land owned by US Bank National Association, located at 7080 Hunley Road in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.97 as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-1015-05**

**RESOLUTION DETERMINING EXISTENCE OF NUISANCE ON LAND OWNED BY  
US BANK NATIONAL ASSOCIATION, LOCATED AT 7080 HUNLEY ROAD IN  
ANDERSON TOWNSHIP, AND PROVIDING FOR NOTICE AND REMEDIATION  
PURSUANT TO ORC SECTION 505.87**

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

Now, therefore, the Board of Township Trustees of Anderson Township, Hamilton County, Ohio (the "Township"), hereby resolves 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

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owner is hereby ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris as set forth herein.

Section 2. If the owner of the land upon which the nuisance is located is determined by the Anderson Township Planning and Zoning Department (the "Zoning Department") to be a resident of the Township or a nonresident whose address is known, the Zoning 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 Zoning 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 Zoning Inspector, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from moneys not otherwise appropriated. Those expenses shall be recovered by the Township pursuant to Ohio Revised Code Section 505.87(F).

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

Section 5. 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.**

Paddison Road Sidewalk – Detention Basin –

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**Resolution 20-1015-06: Mrs. Stone moved to enter into a contract with the Kleinger's Group to design a regional detention basin and produce construction documents for such basin, for a total amount not to exceed \$13,400, using funds available in Anderson Trails TIF budget, allowing the Township to moved forward with the necessary steps to advance the grant-funded sidewalk project, which could begin construction in late 2021. Mr. Pappas seconded.**

There was no further discussion.

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

**SHERIFF'S OFFICE**

Lt. McElroy had nothing requiring Board action.

**PUBLIC WORKS DEPARTMENT**

Resolution Declaring an Emergency for Snow Removal on Unaccepted Roads –

**Resolution 10-1015-07: Mr. Pappas moved to adopt a resolution declaring an Emergency for snow removal on unaccepted roads as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-1015-07**

**RESOLUTION DECLARING AN EMERGENCY  
FOR SNOW REMOVAL ON UNACCEPTED ROADS**

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

SECTION 1. The Board hereby declares that an emergency which threatens life or property within the unincorporated territory of the Township is imminent, and that, accordingly, the Board will provide for the removal of snow, ice, debris and other obstructions ("Removal") from roads that have not been approved and accepted by the Hamilton County Board of County Commissioners and are not part of the state, county or township road systems within the unincorporated territory of the Township ("Unaccepted Roads") in accordance with Section 505.82 of the Revised Code ("Statute"), in the event that the owner or owners of an Unaccepted Road has or have not provided for such Removal.

SECTION 2. Prior to such Removal, the Director of Public Works, or his designee, on behalf of this Board, shall give, or make a good faith effort to give, oral notice to the owner or owners of each Unaccepted Road of this Board's intent to clear the road and to impose a service charge, as hereinafter provided, for doing so.

SECTION 3. The Statute provides that the Board shall establish a just and equitable service charge for such Removal to be paid by the respective owner or owners of each Unaccepted Road for which Removal is provided, and this Board does hereby establish, a service charge ("Removal Service Charge") of \$120 per hour expended in effecting such Removals, with a minimum Removal Service Charge per Unaccepted Road (or connected Unaccepted Roads within a single subdivision) of \$200 per Removal; and further determines that said Removal Service Charge is



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just and equitable, based upon the costs incurred by the Township for such Removal, it being the intention of this Board to recover the costs of Removals.

SECTION 4. The Board may exercise the emergency powers described herein for a period commencing on November 1, 2020, and terminating on May 1, 2021, notwithstanding any resolution with respect to Removal Service Charges heretofore passed by this Board.

SECTION 5. The Director of Public Works, on behalf of this Board, will keep a record of the costs incurred by the Township for Removals from Unaccepted Roads.

SECTION 6. The Fiscal Officer, on behalf of this Board, shall notify in writing each owner of each Unaccepted Road of the amount of the Removal Service Charge owed by such owner, which in the case of more than one owner of such a road shall be a Removal Service Charge allocated on an equitable basis among said owners, and shall certify the same to the County Auditor for collection. The Removal Service Charges shall constitute a lien upon that owner's or owners' real property. The County Auditor shall place said Removal Service Charges on a special tax duplicate to be collected as other taxes and returned to the Township General Fund.

SECTION 7. REMOVAL PURSUANT TO THIS RESOLUTION DOES NOT CONSTITUTE APPROVAL OR ACCEPTANCE OF THE UNACCEPTED, UNDEDICATED ROAD.

SECTION 8. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) 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.**

Public Works Seasonal Employees –

**Resolution 10-1015-08: Mrs. Stone moved to authorize an amount not to exceed \$40,000.00 from the Road and Bridge Fund for seasonal temporary employees for the Public Works Department from January 1, 2020, through December 31, 2021. Mr. Pappas seconded.**

There was no further discussion.

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

**FIRE AND RESCUE DEPARTMENT**

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

**TOWNSHIP ADMINISTRATOR**

King Louis Court –

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**Resolution 20-1015-09: Mrs. Stone moved to adopt a resolution to authorize a first amendment to real property purchase and sale agreement with ARS Property Acquisitions, LLC, with respect real property located at 7887 Beechmont Avenue, and authorizing the execution and delivery of said first amendment as follows; Mr. Gerth seconded the motion:**

**RESOLUTION 20 - 1015 - 09**

**A RESOLUTION APPROVING A FIRST AMENDMENT TO REAL PROPERTY PURCHASE AND SALE AGREEMENT WITH ARS PROPERTY ACQUISITIONS, LLC, WITH RESPECT REAL PROPERTY LOCATED AT 7887 BEECHMONT AVENUE, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID FIRST AMENDMENT.**

**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**, 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**, this Board authorized and entered into a Real Property Purchase and Sale Agreement with ARS Property Acquisitions, LLC, an Ohio limited liability company ("ARS"), effective July 16, 2020 the "Original Purchase Agreement"; and

**WHEREAS**, this Board hereby determines that it is in the best interests of the Township and its residents to amend the Original Agreement to provide for an initial Due Diligence Period that will expire on February 28, 2021, in order to permit ARS time to pursue a rezoning of the Property;

**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, execute and deliver the First Amendment substantially in the form before this Board, which is hereby approved. Further, this Board authorizes the Township Administrator to execute and deliver the First Amendment 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 First Amendment. 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 pursuant to the Original Purchase Agreement as amended by the First Amendment, 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.

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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, abstained.**

Resolution for Public Records Policy of Anderson Township, Hamilton County –

**Resolution 20-1015-10: Mr. Pappas moved to adopt a resolution for Public Records Policy of Anderson Township, Hamilton County as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-1015-10**

**RESOLUTION FOR PUBLIC RECORDS POLICY  
OF ANDERSON TOWNSHIP, HAMILTON COUNTY**

WHEREAS, the Board of Township Trustees of Anderson Township (“Township”), Hamilton County, Ohio (“Board”), through Resolution 07-1220-14, adopted an Open Records Mission Statement and a Statement of Principles; and

WHEREAS, the Board, through Resolution 07-1220-14; adopted a Public Records Policy of Anderson Township; and

WHEREAS, after the Ohio Attorney General’s Office issued a revised model public records policy in December 2009, the Board, through Resolution 10-0415-13 rescinded Resolution 07-1220-14, and established a revised Public Records Policy of Anderson Township; and

WHEREAS, the Ohio Attorney General’s Office has issued a revised model public records policy in 2020;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby rescinds Resolution 10-0415-13, and establishes a revised Public Records Policy of Anderson Township, Hamilton County, Ohio, as follows:

**MISSION STATEMENT**

Openness leads to a better informed citizenry, which leads to better government and better public policy. It is the mission and intent of Anderson Township to at all times fully comply with and abide by both the spirit and the letter of Ohio’s Public Records Act.

**DEFINING PUBLIC RECORDS**

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A “record” is defined to include the following: A document in any format – paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of the Township that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. A “public record” is a “record” that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

**RESPONSE TIMEFRAME**

Public records are to be available for inspection during regular business hours. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. “Prompt” and “reasonable” take into account the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and other facts and circumstances of the records requested. It is the goal of the Township that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the office’s receipt of the request.

**HANDLING REQUESTS**

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records. The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record(s). It is this office’s general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requester’s identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the office’s ability to identify, locate, or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester’s identity or intended use. In processing the request, the office does not have an obligation to create new records or perform a search or research for information in the office’s records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office’s standard use of sorting, filtering, or querying features. Although not required by law, the office should consider generating new records when it makes sense and is practical under the circumstances. In processing a request for inspection of a public record, an office employee may accompany the requester during inspection to make certain original records are not taken or altered. A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General’s website ([www.OhioAttorneyGeneral.gov/YellowBook](http://www.OhioAttorneyGeneral.gov/YellowBook)) for the purpose of keeping employees of the office and the public educated as to the office’s obligations under Ohio’s Public Records Act, Ohio’s Open Meetings Act, records retention laws, and the Personal Information Systems Act.

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**ELECTRONIC RECORDS**

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape. Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

**DENIAL AND REDACTION OF RECORDS**

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the office cannot reasonably identify what public records are being requested, the request may be denied, but the office must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office. If the office withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest must be released. When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible.

**COPYING AND MAILING COSTS**

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five cents (\$.05) per page. The charge for electronic files downloaded to a compact disc is one dollar (\$1.00) per disc. A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations. If a requester asks that documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for e-mailed documents.

**MANAGING RECORDS**

The Township's records are subject to records retention schedules. The office's current schedules are available at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio 45230, a location readily available to the public as required by Ohio Revised Code § 149.43(B)(2). The Township's current central Records Custodian is the Office Manager.

BE IT FURTHER RESOLVED that the preamble hereto is and shall for all purposes be construed to be an integral and operative part of this Resolution.

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BE IT FURTHER RESOLVED that this Board hereby finds and determines that all formal actions of the Board concerning and relating to the passage of the Resolution were taken in open meetings of this Board, and that all deliberations of the 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.**

COVID-19 and CARES Act Funding Update – Mrs. Earhart stated Mr. Dietz and his staff were meeting to determine how the CARES Act funds would be utilized. She and Mrs. Hucker had attended a number of webinars and other instructional sessions to determine the appropriate way to spend those dollars.

In regard to COVID-19, Ohio had set a new record for Coronavirus cases. 2,178 Ohioans tested positive for COVID bringing the Statewide total to 175,843 residents. Governor DeWine characterized the increase as alarming and encouraged everyone to wear masks and maintain social distancing.

Hamilton County Public Health reported 8,645 cases, 650 hospitalizations and 228 deaths. Currently there were 29 counties in the State of Ohio that were at the red level. She pointed out that it was incumbent upon everyone to help each other and help our love ones to stay safe and healthy to reduce the number of deaths and hospitalizations.

Items Arising from Executive Session –

**Resolution 20-1015-11: Mrs. Stone moved to adopt a Resolution authorizing of real property in the 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.**

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of January 21, 2021.

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


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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**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 24<sup>th</sup> day of September 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of January, 2021.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

November 5, 2020

The Board of Township Trustees of Anderson Township ("Board") held its regular Interim Workshop Meeting on November 5, 2020, at 2:00 p.m., in the Community Meeting Room at Anderson Center. Present were the following Board members:

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

**Mr. Gerth** called the meeting to order and welcomed attendees including Fiscal Officer Ken Dietz, Township Administrator Vicky Earhart, Assistant Administrator for Operations Steve Sievers, Assistant Administrator for Human Resources Suzanne Parker, Planning & Zoning Director Paul Drury, Fire Chief Rick Martin, Public Works Director Eric Luginbuhl, Facilities Manager Mark Magna, Lt. Dan McElroy, Law Director Margaret Comey, Fiscal Office Manager Debbie Hucker, Intern Kyle Stone and Administrative Assistant Molly Mohrfield.

**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.**

**DISCUSSION ITEMS**

Appropriation Changes –

**Resolution 20-1105-01: Mr. Gerth moved to adopt the appropriation changes as recommended by the Fiscal Officer. Mrs. Stone seconded the motion.**

**Appropriation Changes Within Same Account**

10.1100.0701	+\$ 10,000	Telephone
10.1100.1002	- \$ 10,000	Repairs (Vehicles)

There was no further discussion.

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

Comprehensive Plan Consultant –

**Resolution 20-1105-02: Mrs. Stone moved to select PlanningNEXT, with McBride Dale Clarion, as the consultant for the 2021 Comprehensive Plan Update. Mr. Pappas seconded the motion.**

There was no further discussion.

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



WeTHRIVE! Anderson Art Plan – Mr. Drury stated that community art had been a topic of interest since discussed during the Planning Meeting in May 2019. He pointed out that community art could be a topic of focus for the upcoming WeTHRIVE! Committee since it crossed several of the pathways approved by the Trustees. The Board had approved, in the 2020 budget, a total not to exceed \$40,000 for Community Art. An RFP for the community art plan was released by staff in February 2020 with a March 9, 2020, due date. Staff received two proposals but due to COVID-19 the community art plan was put on hold temporarily until the financial implications of the pandemic were known. Mr. Drury asked for guidance from the Board to determine if there was support to move the plan forward and include it in the 2021-2022 WeTHRIVE! Anderson Action Plan. The Board agreed.

Nuisance Abatement, 1253 Rambling Hills Drive –

**Resolution 20-1105-03: Mrs. Stone moved to adopt a resolution determining existence of nuisance on land owned by William Charles Barnett and Tammy Barnett, located at 1253 Rambling Hills Drive, in Anderson Township, and providing for notice and remediation pursuant to ORC Section 505.87 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1105-03**

**RESOLUTION DETERMINING EXISTENCE OF  
NUISANCE ON LAND OWNED BY WILLIAM CHARLES  
BARNETT AND TAMMY BARNETT, LOCATED AT 1253  
RAMBLING HILLS DRIVE, IN ANDERSON TOWNSHIP,  
AND PROVIDING FOR NOTICE AND REMEDIATION  
PURSUANT TO ORC SECTION 505.87**

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

Now, therefore, be it resolved by the Board of Township Trustees (the "Board") of Anderson Township, Ohio (the "Township"), that:

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

Section 2. If the owner of the land upon which the nuisance is located is determined by the Anderson Township Planning and Zoning Department (the "PZD") to be a resident of the Township or a nonresident whose address is known, the PZD shall give notice to such owner, on

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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 PZD 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 PZD, on behalf of this Board, shall provide for such abatement, control, or removal and, on behalf of this Board, may employ the necessary labor, materials, and equipment to perform the task. The expenses to be incurred in that regard are hereby authorized and appropriated to be paid from the Township General Fund from monies not otherwise appropriated.

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.**

Resolution Finding that Public Safety Personnel Are Substantially Dedicated to Mitigating or Responding to the COVID-19 Public Health Emergency in Anderson Township, Hamilton County, Ohio –

**Resolution 20-1105-04: Mrs. Stone moved to adopt a resolution finding that public safety personnel are substantially dedicated to mitigating or responding to the COVID-19 public health emergency in Anderson Township, Hamilton County, Ohio as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1105 - 04**

**FINDING THAT PUBLIC SAFETY PERSONNEL ARE  
SUBSTANTIALLY DEDICATED TO MITIGATING OR  
RESPONDING TO THE COVID-19 PUBLIC HEALTH EMERGENCY  
IN ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO**

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

WHEREAS, Senate Bill 310, required political subdivisions receiving funds under Section 1 of the CARES Act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the political 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, on June 18, 2020, the Board of Township Trustees (“Board”) of Anderson Township, Hamilton County, Ohio (“Township”), adopted Resolution 20-0618-06, and affirmed 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:

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

WHEREAS, the Ohio Office of Budget and Management (“OBM”), in its Guidance & Frequently Asked Questions, updated August 28, 2020 (“OBM Guidance”) directed local jurisdictions to evaluate “all proposed expenditures based on guidance contained within the U.S. Department of Treasury Guidance and Coronavirus Relief Fund Frequently Asked Questions”; and

WHEREAS, the OBM Guidance further advised that “it is presumed for administrative convenience that personnel costs related to [public safety] are substantially dedicated” for purposes of the CARES Act unless the chief executive of the entity receiving the funds determines otherwise; and

WHEREAS, the United States Department of the Treasury (“Treasury”), in its Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, dated September 2, 2020, (“Treasury Guidance”) advised that “[p]ayroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency” are eligible expenditures of CARES Act funds; and

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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WHEREAS, the Treasury Guidance further advised that local governments may presume that “public health and public safety employees meet the substantially dedicated test, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise. *This means that, if this presumption applies, work performed by such employees is considered to be a substantially different use than accounted for in the most recently approved budget as of March 27, 2020.* All costs of such employees may be covered using payments from the Fund for services provided during the period that begins on March 1, 2020, and ends on December 30, 2020” [Emphasis added];

WHEREAS, the Treasury Guidance further advised that “public safety employees” include “police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel”; and

WHEREAS, this Board is mindful of the fact that CARES Act funding represents an extraordinary, non-recurring one-time expenditure of taxpayer dollars, which, to the extent applicable for public safety employee expenses, may permit the public safety levy revenues to be extended, thereby delaying the need for an additional public safety levy, to the benefit of Township taxpayers,

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

SECTION 1. In reliance on the Treasury Guidance and OBM Guidance and having examined the circumstances of the Township, this Board hereby determines that the Treasury presumption that Township public safety employees meet the substantially dedicated test applies and no specific circumstances rebut the presumption.

SECTION 2. This Board further determines that the following Township public safety positions are substantially dedicated to mitigating or responding to the COVID-19 public health emergency: Fire Chief, Assistant Chief, Battalion Chiefs, Firefighter/Paramedics 1-6. Therefore, current and future distributions of CARES Act funds to the Township may be expended to cover the payroll and benefits of those public safety positions listed above.

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 the Board concerning and relating to the passage of the Resolution were taken in open meetings of this Board, and that all deliberations of the 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.

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There was no further discussion.

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

**Mr. Gerth moved to retire to Executive Session to consider the appointment or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), 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), to review negotiations or bargaining sessions with public employee concerning their compensation or other terms and conditions of their employment as permitted by Ohio Revised Code Section 121.22(G)(4), and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project.**

**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.**

2021 Township Employee Compensation Adjustment –

**Resolution 20-1105-05: Mr. Pappas moved to approve the following:**

- 1. In lieu of a monetary compensation adjustment, all full-time, non-collective bargaining Township employees will receive an additional twenty-four (24) hours of paid time off (PTO), effective January 1, 2021. This is a one-time adjustment, for 2021 only.**
- 2. In addition, this same group of employees will be permitted to carry over an additional forty (40) hours of PTO from 2020 to 2021. This is also a one-time adjustment only**

**Mrs. Stone seconded the motion.**

There was no further discussion.

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

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As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of January 21, 2021.

  
\_\_\_\_\_  
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 5<sup>th</sup> day of November 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21st day of January, 2021.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
November 16, 2020

The Board of Township Trustees of Anderson Township ("Board") held a Special Meeting on November 16, 2020, at 2:00 p.m., at Anderson Center. Present were the following Board members:

Joshua S. Gerth  
Robin D. Stone

Also present when the meeting was called to order were Fiscal Officer Ken Dietz, Planning & Zoning Director Paul Drury, Planner 1 Sarah Donovan, Planner 1 Brad Bowers and Planner 1 P. J. Ginty.

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

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

There was no further discussion.

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

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

There was no further discussion.

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

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of February 16, 2021.

  
Joshua S. Gerth, President

  
Kenneth G. Dietz, Fiscal Officer

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
November 16, 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 special meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 16<sup>th</sup> day of November, 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 16<sup>th</sup> day of February, 2021.

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



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
November 19, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on November 19, 2020, at 5:00 p.m., in the Anderson Center Board Room. Present were the following Board members:

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

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

**Mr. Gerth called the meeting to order and moved to retire to Executive Session to consider the appointment or compensation of a public employee or official as permitted by Ohio Revised Code Section 121.22(G)(1), to consider the purchase of property for public purposes, or the sale of property as permitted by Ohio Revised Code Section 121.22(G)(2), to review negotiations or bargaining sessions with public employee concerning their compensation or other terms and conditions of their employment as permitted by Ohio Revised Code Section 121.22(G)(4), and to consider confidential information of an applicant for economic development assistance involving public infrastructure improvements as permitted by Ohio Revised Code Section 121.22(G)(8), the executive session being deemed necessary to protect the interests of the applicant and the possible investment or expenditure of public funds in connection with the economic development project. Mrs. Stone seconded the motion. Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

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

**Mr. Gerth** welcomed the additional attendees, including a number of citizens and other public officials including: Law Director Margaret Comey and Administrative Assistant Molly Mohrfield. He asked them to join him in the Pledge of Allegiance.

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

There was no further discussion.

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

### **PRESENTATIONS AND RECOGNITIONS**

Community Development Block Grant 2021-2023 Funding Request – **Mr. Sievers** informed the Board that the Township was eligible to apply for the Community Development Block Grant Funds (CDBG) through Hamilton County as part of the next funding cycle, for fiscal year 2021-2023, tentatively beginning April 1, 2021. The Township had been a participant in the Hamilton

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*November 19, 2020*

County CDBG program and was invited to submit projects for consideration. The public hearing requirements were waived due to COVID-19. However, potential projects had to posted, for a five-day comment period. The plan was to utilize the Township's website and Facebook page. It was staff's recommendation to continue the efforts to upgrade all handicapped ramps and sidewalks, which would save TIF or Road and Bridge Funds.

**Resolution 20-1119-01: Mrs. Stone made a motion to authorize the Township Administrator to submit the ADA Handicapped Ramp and Sidewalk Accessibility project to the Hamilton County Community Development Department for Community Development Block Grant funding for FY 2022. 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 FORUM**

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

**Ken Kuhn, 7632 Rudgate Court**, stated that he was concerned with the recent news regarding communities defunding the police and the ramifications of that on moral within the departments. He asked if the "defund the police" movements started to speed up in Hamilton County would that impact the Township and Hamilton County's ability to support or provide services under the contract. He pointed out that out of the top five townships in Hamilton County Anderson was the only township that did not have their own police department. Green Township had 28 square miles, and 43 officers. Springfield Township had 17 square miles and 52 officers. He asked if the Township had a contingency plan in case Hamilton County could not meet their contractual requirements.

### **TRUSTEE COMMENTS**

**Mrs. Stone** pointed out that the cases of COVID-19 were increasing, and she reminded everybody to wear a mask and limit their travel.

**Mr. Pappas** stated that the Board took all comments seriously and would be in contact with Mr. Kuhn to address his concerns. The Township was under contract with Hamilton County and he had the utmost confidence in the Sheriff's Office, the level of service they provide and the cost. He agreed that there should always be a contingency plan in place in case something were to happen.

### **FISCAL OFFICER**

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

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**Mr. Dietz** pointed out that the budget for the Hamilton County Sheriff's Department was approximately \$4,000,000. He asked Mrs. Earhart for the exact number of officers that were assigned to the Township. **Mrs. Earhart** replied that there were 34 officers that provided service in the Township.

Announcement Regarding Tax Incentive Review Committee and Records Commission Annual Meeting – **Mr. Dietz** explained that by law the Township was obligated to have a Tax Incentive Review Council Meeting on all the TIF revenues received over the year. That meeting was scheduled for December 3, 2020.

Minutes –

**Resolution 20-1119-02: Mr. Pappas** moved to approve the minutes of September 24, 2020; and October 8, 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**

**Mrs. Comey** had noting requiring Board action.

#### **ADMINISTRATION**

Communications Consultant Appointment for 2021 –

**Resolution 20-1119-03: Mrs. Stone** moved to authorize the extension of the continuing consultant role of Nancy Caine as Communication Consultant at the rate of \$63 per hour for a total not to exceed \$40,000 in 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.**

Resolution Authorizing the Use of Local Coronavirus Relief Funds to be Distributed to Another Governmental Entity as Subgrant for COVID-Necessary Expenses –

**Resolution 20-1119-04: Mr. Pappas** moved to adopt a resolution authorizing the use of local Coronavirus Relief Funds to be distributed to another governmental entity as a subgrant for COVID-necessary expenses as follows; **Mrs. Stone** seconded the motion:

#### **RESOLUTION NO. 20-1119-04**

**A RESOLUTION AUTHORIZING THE USE OF LOCAL CORONAVIRUS RELIEF FUNDS TO BE DISTRIBUTED TO ANOTHER GOVERNMENTAL ENTITY AS A SUBGRANT FOR COVID-NECESSARY EXPENSES**

WHEREAS, the Ohio General Assembly has enacted legislation through HB 481 and HB 614 authorizing the distribution of Federal CARES funding to local jurisdictions; and

WHEREAS, the Township adopted Resolution 20-0618-06 on June 18, 2020 requesting its share of funds from the Hamilton County Coronavirus Relief Distribution Fund; and

WHEREAS, the Township has received \$2,342,162.43, and appropriations have been enacted for the use of these funds; and

WHEREAS, the Ohio Office of Budget and Management has issued guidelines for the use of these funds including subgrants; and

WHEREAS, the Township has received requests from another governmental entity for a subgrant for COVID-necessary expenses; and

WHEREAS, the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the criteria of section 601(d) of the Social Security Act outlined in the Guidance; and

WHEREAS, funding in the amount of \$38,568.87 will provide for the reimbursement of COVID-necessary expenses for Anderson Township Park District, a governmental body.

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

SECTION 1. The Board hereby supports the use of Local Coronavirus Relief Funds for a Subgrant to be distributed as outlined above.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

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 the Board concerning and relating to the passage of the Resolution were taken in open meetings of this Board, and that all deliberations of the 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

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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.**

2021 Membership in the Coalition of Large Ohio Urban Townships –

**Resolution 20-1119-05: Mrs. Stone moved to authorize membership in the Coalition of Large Ohio Urban Townships, a sub-committee of the Ohio Township Association, for the year 2021 in an amount not to exceed \$200. Mrs. Pappas seconded the motion.**

There was no further discussion.

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

Appointment of Township Representative to Ohio-Kentucky-Indiana Regional Council of Governments –

**Resolution 20-1119-06: Mrs. Stone moved to appoint Josh Gerth as Anderson Township's Representative to the Board of Directors of the Ohio, Kentucky, Indiana Regional Council of Governments and to appoint Andrew Pappas as alternate. Mr. Pappas seconded the motion.**

There was no further discussion.

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

2021 Landscape Maintenance –

**Resolution 20-1119-09: Mrs. Stone moved that this Board hereby approve renewal of Mowing Contract LS-1 to Merkle Lawn Care Co., Inc. in the amount of \$41,889.00 and Landscape Maintenance Contract LS-2 to GrassCor Lawn & Landscapes, LLC in the amount of \$199,085.13, together with a 10% contingency on non-allowance work, for a maximum appropriation of \$260,071.54; further, this Board hereby authorizes and directs the Township Administrator, after consultation with the Law Director, to enter into contract with Merkle Lawn Care Co., Inc. for the 2021 Mowing Contract LS-1 and GrassCor Lawn & Landscape, LLC for the 2021 Landscape Maintenance Contract LS-2.**

There was no further discussion.

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

Geotechnology Master Service Agreement –

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**Resolution 20-1119-10: Mr. Pappas moved that this Board hereby accept the Master Services Agreement proposal, from Geotechnology, Inc. and further, this Board hereby authorizes and directs the Township Administrator, after consultation with the Law Director, to enter into contract with Geotechnology, Inc. Mrs. Stone seconded the motion.**

There was no further discussion.

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

Items Arising for Executive Session Discussion –

**Resolution 20-1119-07: Mr. Pappas moved to adopt a resolution authorizing the disposition of real property located at 3319 Mt. Carmel Road, in the Township, pursuant to Section 505.10(A)(6) of the Revised Code; approving a real property purchase and sale agreement with Morgan L. Cody with respect thereto, and authorizing the execution and delivery of said agreement as follows; Mrs. Stone seconded the motion:**

**RESOLUTION No. 20-1119 -07**

**A RESOLUTION AUTHORIZING THE DISPOSITION OF REAL PROPERTY LOCATED AT 3319 MT CARMEL ROAD, IN THE TOWNSHIP, PURSUANT TO SECTION 505.10(A)(6) OF THE REVISED CODE; APPROVING A REAL PROPERTY PURCHASE AND SALE AGREEMENT WITH MORGAN L. CODY 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 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 two adjoining parcels of real property comprised of approximately 0.549 acres and 0.009 acres, respectively, located at 3319 Mt. Carmel Road, in the Township, and identified as Hamilton County Auditor's Tax ID Parcel Nos. 0500-0074-0002-00 and 0500-0074-0064-00 (together, the "Property"); and

**WHEREAS**, Morgan L. Cody (the "Purchaser") has expressed her interest in purchasing the Property from the Township for the purchase price of THIRTY THOUSAND DOLLARS (\$30,000), pursuant to and on 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 the Purchaser pursuant to the Purchase Agreement, as the same may be modified in accordance with this Resolution;

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES

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**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 the Purchaser at a Purchase Price of not less than THIRTY THOUSAND DOLLARS (\$30,000) 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.

There was no further discussion.

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

**Resolution 20-1119-08: Mr. Pappas moved to adopt a resolution authorizing the purchase of real property in the Township pursuant to Section 511.11 of the Ohio Revised Code as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-1119-08**

**AUTHORIZING THE PURCHASE OF REAL PROPERTY IN THE TOWNSHIP  
PURSUANT TO SECTION 511.11 OF THE OHIO REVISED CODE**

WHEREAS, Section 511.11 of the Ohio Revised Code (the "Statute") provides, in relevant part, that a board of township trustees may acquire by purchase, appropriation, or otherwise, any private or public lands which it might deem necessary for its use; and

WHEREAS, this Board has identified certain real property in the Township that it deems necessary for its use and desires to purchase;

**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  
November 19, 2020

Section 1. The Board hereby determines that it is in the best interest of the Township to purchase certain identified real property located in the Township (the "Property") and that the Township Administrator and the Assistant Township Administrator for Operations are hereby designated to represent this Board in negotiating a Real Property Purchase and Sale Agreement with respect to the Property; provided that the maximum aggregate cost of acquiring the Property, said cost to be comprised of the purchase price, the cost of clean-up of the Property and certain due diligence expenses, shall not exceed \$40,000, which amount is hereby appropriated for the purpose, with the maximum purchase price component thereof being \$15,000.

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

There was no further discussion.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of January 21, 2021.

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

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

**CERTIFICATION**

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true excerpt from the minutes of a regular meeting, including the roll call votes thereat, of the Board of Township Trustees of said Township held on the 19<sup>th</sup> day of November 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of January, 2021.

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



*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
December 3, 2020*

The Board of Township Trustees of Anderson Township (“Board”) held its regular Interim Workshop Meeting on December 3, 2020, beginning at 2:00 PM.

**Mrs. Earhart** welcomed attendees and announced that the Tax Incentive Review Council Meeting previously scheduled had to be cancelled and would likely be rescheduled in January. 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, and Trustee Andrew Pappas. 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, Planner 1 Brad Bowers, Planner 1 Sarah Donavon Planner 1 PJ Ginty, 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. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

**TRUSTEES/FISCAL OFFICER**

Appropriation Changes –

**Resolution 20-1203-01: Mr. Gerth** moved to approve the appropriation changes as detailed by **Mrs. Hucker** and as follows. **Mrs. Stone** seconded the motion.

**Appropriation Increase New Fund 52 – CARES ACT/COVID-19**

**CARES ACT/COVID-19**

<b>52.1100.01</b>	<b>+\$43,887</b>	<b>Cares Act/Covid-19 expenses</b>
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There was no further discussion.

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

## DISCUSSION ITEMS

Electric Vehicle Charging Stations – **Mr. Bowers** stated that staff had been in discussion with Electrada, a local start-up company implementing electrical vehicle charging stations around the Tri-State area. They had submitted a grant application through the Ohio Environmental Protection Agency for electric vehicle charging stations in the Township, as well as throughout the Hamilton County area. The potential sites that were indicated in the grant application were Mercy Hospital Anderson, the Anderson Branch of the Cincinnati Public Library and Anderson Towne Center. The additional sites staff were reviewing, outside of the grant application, were the Anderson Center and the RecPlex. The next steps would be having the host agreement in place and deciding on the amount of charging locations and then the feasibility of those charging locations. **Mrs. Earhart** stated that staff was attempting to gauge the Board's interest before the host agreement was reviewed by the Law Director. **Mr. Bowers** pointed out that in 2018 there were a total of 227 registered electric vehicles in the Township with no charging locations. Staff believed those numbers were higher now. **Mr. Pappas** stated that for the convenience to residents and with no capital cost to the Township, he had no problem pursuing this further. **Mrs. Stone** stated that she was glad to see this moving ahead. **Mr. Gerth** agreed.

Case 2-2018 Anderson Substantial Modification Skytop; Case 3-2020 Anderson-1357 Nagel Road –

**Resolution 20-1203-02:** **Mrs. Stone** made a motion to set a public hearing for Thursday, January 21, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio, or virtually if the meeting is not held in person, for the purpose of hearing Case #2-2018 Anderson Substantial Modification. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

**Resolution 20-1203-03:** **Mrs. Stone** made a motion to set a public hearing for Thursday, January 21, 2020, at 5:30 PM at Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio, or virtually if the meeting is not held in person, for the purpose of hearing Case #3-2020 Anderson. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

2021 Road Paving –

**Resolution 20-1203-04:** **Mr. Gerth** moved to authorize bid preparation and advertisement for the 2021 Street Rehab Program. **Mr. Pappas** seconded the motion.

There was no further discussion.

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

Energy Special Improvement District Project –

**Resolution 20-1203-05: Mrs. Stone moved to adopt a resolution approving the petition for special assessments for Special Energy Improvement Project and a plan for public improvements; declaring the necessity of acquiring, constructing, improving, installing, and equipping certain public improvements described in the plan for public improvements in cooperation with the Eastern Communities Energy Special Improvement District, Inc. as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1203-05**

**A RESOLUTION APPROVING THE PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECT AND A PLAN FOR PUBLIC IMPROVEMENTS; DECLARING THE NECESSITY OF ACQUIRING, CONSTRUCTING, IMPROVING, INSTALLING, AND EQUIPPING CERTAIN PUBLIC IMPROVEMENTS DESCRIBED IN THE PLAN FOR PUBLIC IMPROVEMENTS IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.**

WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (“ESIDs”) upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, 8253 Beechmont, LLC (and together with all future owners of the Project Site, as defined below, the “Owner”), as the current owner of certain real property located within Anderson Township, County of Hamilton, Ohio (the “Township”), has identified certain real property located at 8253 Beechmont Avenue, Cincinnati, Ohio, 45255, within the Township (the “Project Site”), as an appropriate property for a special energy improvement project pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Eastern Communities Energy Special Improvement District, Inc. (the “District”) has certified to this Board that it was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 06-2019 of the Village Council of the Village of Newtown, Ohio approved on February 26, 2019 (the “Creation Ordinance”); and

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
December 3, 2020

WHEREAS, the District has certified to this Board of Township Trustees of the Township (the "Board") that, by the Creation Ordinance and under Ohio Revised Code Section 1710.02, the articles of incorporation for the District (the "Articles of Incorporation") were approved and filed with the Ohio Secretary of State and that its Board of Directors (the "Board of Directors") has been duly appointed; and

WHEREAS, the District has certified to this Board that, by the Creation Resolution and under Ohio Revised Code Section 1710.02, the District's Eastern Communities Energy Special Improvement District Project Plan (as duly amended and supplemented from time to time, the "Plan") was approved as a plan for public improvements and public services for the District; and

WHEREAS, as permitted under Ohio Revised Code Section 1710.02, the Plan and the Articles of Incorporation allow for the addition of real property within any "participating political subdivision" of the District or within any municipal corporation or township which is adjacent to any participating political subdivision of the District to the territory of the District by the approval of the municipal corporation or township in which that real property is located; and

WHEREAS, the Owner has determined to submit to the Board a *Petition for Special Assessments for Special Energy Improvement Projects* (the "Petition"), together with an *Eastern Communities Energy Special Improvement District Plan Supplement to Plan for 8253 Beechmont Avenue, Anderson Township, Ohio Project* (the "Supplemental Plan"), all in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with the Board and the Township Administrator of the Township; and

WHEREAS, the Petition and the Supplemental Plan request that the Township add the Project Site to the territory of the District and levy special assessments on the Project Site to pay the costs of a special energy improvement project consisting of acquiring, constructing, improving, installing, and equipping alternative energy and energy efficiency improvements, including, without limitation, roof replacement and insulation and related improvements to be provided on the Project Site, all as described more particularly in the Petition and the Supplemental Plan (the "Project") and as duly certified to constitute PACE eligible components; and

WHEREAS, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2(o) of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and duration of the special assessments to be imposed with respect to the Project; and

WHEREAS, this Board, as mandated by Ohio Revised Code Section 1710.02, must approve or disapprove the Petition within sixty 60 days of the submission of the Petition; and

WHEREAS, Ohio Revised Code Section 1710.02(F) provides that a political subdivision which has approved a petition for special assessments for public improvements in an energy special improvement district and a plan pursuant to Ohio Revised Code Sections 1710.02(F) shall levy the requested special assessments pursuant to Ohio Revised Code Chapter 727; and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*December 3, 2020*

WHEREAS, in the Petition, the Owner requests that the Project be paid for by special assessments assessed upon the Project Site (the "Special Assessments") in the aggregate amount of \$695,824.80, which is an amount sufficient to pay the costs of the Project, which are estimated to be \$324,241.00 together with other related costs of financing the Project, which include, without limitation, the payment of principal of and interest on obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees, District administrative fees and expenses, and Township expenses and requests that the Project be undertaken cooperatively by the Township, the District, and such other parties as the Township may deem necessary or appropriate;

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

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

SECTION 2. This Board approves the Petition and the Supplemental Plan now on file with the Township Administrator thereby adding the Project Site to the territory of the District pursuant to the Creation Resolution, Plan, and the Articles of Incorporation.

SECTION 3. This Board approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory of the District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a "participating political subdivision," as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.

SECTION 4. This Board declares necessary, and a vital and essential public purpose of the Township, to improve the Project Site, which is located at 8253 Beechmont Avenue, Cincinnati, Ohio, 45255, within the Township, by providing for the acquisition, construction, improvement, installation, and equipping of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the Project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
December 3, 2020*

expenses, and Township expenses; together with all other necessary expenditures, all as more fully described in the Petition and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Township Administrator and the Fiscal Officer of the Township (the "Fiscal Officer") and open to the inspection of all persons interested.

SECTION 5. This Board determines that the Project's elements are so situated in relation to each other that in order to complete the acquisition, construction, improvement, installation, and equipping of the Project's elements in the most practical and economical manner, they should be acquired, constructed, improved, installed, and equipped at the same time, with the same kind of materials, and in the same manner; and that the Project's elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project's elements shall be treated as a joint improvement to be undertaken cooperatively by the Township and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710. Pursuant to Ohio Revised Code Section 1710.02(G)(4), this Board determines that the special energy improvement project to be acquired, constructed, improved, installed, and equipped at the Project Site is not required to be owned exclusively by the Township. This Board accordingly hereby authorizes the Board of Directors to act as its agent to sell, transfer, lease, or convey the special energy improvement project to be acquired, constructed, improved, installed, and equipped at the Project Site. The Board of Directors must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project at the Project Site consideration greater than or equal to \$1.00.

SECTION 6. The plans and specifications and total cost of the Project now on file with the Township Administrator are approved, subject to changes as permitted by Ohio Revised Code Chapter 727. The Project shall be acquired, constructed, improved, installed, and equipped in accordance with the plans, specifications, profiles, and estimates for the Project.

SECTION 7. This Board declares that the Project is an essential and vital public, governmental purpose of the Township as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the Township, it is necessary and proper to provide, in cooperation with the District, for the acquisition, construction, improvement, installation, and equipping of the Project in the manner contemplated by the Petition. This Board determines and declares that the Project is conducive to the public peace, health, safety, and welfare of the Township and the inhabitants of the Township.

SECTION 8. Pursuant to, and subject to, the provisions of the Petition signed by the owners of 100% of the Project Site, the entire cost of the Project shall be paid by the Special Assessments levied against the Project Site, which is the benefited property. The provisions of the Petition are ratified, adopted, approved and incorporated into this Resolution as if set forth in full in this Resolution. The portion of the costs of the Project allocable to the Township will be 0%. The Township does not intend to issue securities in anticipation of the levy or collection of the

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
December 3, 2020*

**Special Assessments.**

SECTION 9. The method of levying the Special Assessments shall be in proportion to the benefits received, levied on the parcel constituting the Project Site as set forth in the Petition.

SECTION 10. The lot or parcel of land to be assessed for the Project shall be the Project Site, described in Exhibit "A" to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

SECTION 11. The Special Assessments shall be levied in 24 annual installments and paid in 48 semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition, and the Owner has waived its option to pay the Special Assessment in cash within thirty (30) days after the passage of the assessing Resolution. The period over which the services and improvements provided pursuant to the Plan are useful is determined to exceed 25 years.

The aggregate amount of Special Assessments estimated to be necessary to pay the costs of the Project and related eligible expenses is \$695,824.80. Each payment of an installment of Special Assessments represents payment of a portion of the principal of and interest on obligations issued to pay the costs of the Project and of administrative expenses. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township. In addition to the Special Assessments, the County Auditor of Hamilton County, Ohio (the "County Auditor") may impose a special assessment collection fee with respect to any annual amount certified to the County Auditor for collection, which amount, if any, will be added to the Special Assessments by the County Auditor.

SECTION 12. The Fiscal Officer or the Fiscal Officer's designee is authorized and directed to prepare and file in the office of the Board the estimated Special Assessments for the cost of the Project and related eligible expenses in accordance with the method of assessment set forth in the Petition and this Resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

SECTION 13. That pursuant to the Petition, the Owner has waived notice of the passage of this Resolution and the filing of the estimated Special Assessments, as provided in Ohio Revised Code Section 727.13, and this Board hereby accepts and relies upon that waiver.

SECTION 14. The Fiscal Officer or the Fiscal Officer's designee is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition, construction, improvement, installation, and equipping of the Project.

SECTION 15. The Special Assessments will be used by the Township to provide the Project in cooperation with the District in any manner, including assigning the Special

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Assessments actually received by the Township to the District or to another party which the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 16. This Board accepts and approves the Owner's waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727 and Ohio Revised Code Chapter 1710 and consents to the immediate imposition of the Special Assessments upon the Project Site. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

1. The right to notice of the adoption of the Resolution of Necessity under Ohio Revised Code Sections 727.13 and 727.14;
2. The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06;
3. The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
4. The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
5. The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;
6. The right to notice that bids or quotations for the Project may exceed estimates by 15%;
7. The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;
8. The right to notice of the passage of the assessing Resolution under Ohio Revised Code Section 727.26; and
9. Any and all procedural defects, errors, or omissions in the Special Assessment process.

SECTION 17. 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 any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

**Resolution 20-1203-06: Mr. Pappas moved to adopt a resolution determining to proceed with the acquisition construction, improvement, installation, and equipping of certain public improvements in Anderson Township, Hamilton County, Ohio, in cooperation with the Eastern Communities Energy Special Improvement District, Inc. as follows; Mrs. Stone seconded the motion:**



**RESOLUTION NO. 20-1203-06**

**A RESOLUTION DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, INSTALLATION, AND EQUIPPING OF CERTAIN PUBLIC IMPROVEMENTS IN ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.**

WHEREAS, this Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), duly passed Resolution No. 20-1203-05 on December 3, 2020 (the "Resolution of Necessity"), (i) declaring the necessity of acquiring, constructing, improving, installing, and equipping alternative energy and energy efficiency improvements, including, without limitation, roof replacement and insulation and related improvements (the "Project", as more fully described in the Petition referenced in this Resolution), located on real property owned by 8253 Beechmont, LLC (the "Owner") at 8253 Beechmont Avenue, Cincinnati, Ohio, 45255, within the Township (as more fully described in Exhibit A to the Petition, as defined below, the "Project Site"); (ii) providing for the acquisition, construction, improvement, installation, and equipping of the Project by the Owner, as set forth in the Owner's *Petition for Special Assessments for Special Energy Improvement Projects* (the "Petition") and the *Eastern Communities Energy Special Improvement District Plan Supplement to Plan for 8253 Beechmont Avenue, Anderson Township, Ohio Project* (the "Plan") including by levying and collecting special assessments upon and from the Project Site (the "Special Assessments") in an aggregate amount of \$695,824.80, which is an amount determined by the submission of the Petition and Plan to be sufficient to pay the costs of the Project, which are estimated to be \$324,241.00, together with other related costs of financing the Project, including, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees, Eastern Communities Energy Special Improvement District, Inc. ("District") administrative fees and expenses, and Township expenses; and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the Township and the District; and

WHEREAS, the claims for damages alleged to result from, and objections to, the Project have been waived by 100% of the affected property owners and no claims for damages or objections have been filed;

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

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*December 3, 2020*

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition and the Resolution of Necessity.

SECTION 2. This Board declares that its intention is to proceed with the acquisition, construction, improvement, installation, and equipping of the Project described in the Petition and the Resolution of Necessity. The Project shall be acquired, constructed, improved, installed, and equipped in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with the Township Administrator.

SECTION 3. The Special Assessments to pay costs of the Project, which are estimated to be \$695,824.80 including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and expenses, and Township expenses, shall be assessed against the Project Site in the manner and in the number of annual installments for semi-annual collection provided in the Petition and the Resolution of Necessity. Each annual or semi-annual Special Assessment payment represents the payment of a portion of the principal of and interest on obligations issued to pay the costs of the Project and the scheduled amounts payable as the District administrative fee and the trustee fee. The Special Assessments shall be assessed against the Project Site commencing in tax year 2021 for collection in 2022 and shall continue through tax year 2044 for collection in 2045. In addition to the Special Assessments, the County Auditor of Hamilton County, Ohio (the "County Auditor"), may impose a special assessment collection fee with respect to any annual amount certified to the County Auditor for collection, which amount, if any, will be added to the Special Assessments by the County Auditor.

SECTION 4. The estimated Special Assessments for costs of the Project, which have been prepared and filed in the office of the Fiscal Officer of the Township (the "Fiscal Officer") in accordance with the Resolution of Necessity, are adopted, and the usefulness of the services and improvements provided pursuant to the plan are determined to exceed 25 years.

SECTION 5. In compliance with Ohio Revised Code Section 319.61, the Fiscal Officer is authorized and directed to deliver a certified copy of this Resolution to the County Auditor within fifteen (15) days after the date of its passage.

SECTION 6. All contracts for the construction of the Project will be let in the manner provided by law, subject to the provisions of the Ohio Revised Code, the Petition, and the Plan, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

SECTION 7. 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

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open meeting of this Board and its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

**Resolution 20-1203-07: Mrs. Stone moved to adopt a resolution levying special assessments for the purpose of acquiring, constructing, improving, installing, and equipping certain public improvements in Anderson Township, County of Hamilton, Ohio, in cooperation with the Eastern Communities Energy Special Improvement District, Inc.; approving the substantially final forms of an energy project cooperative agreement providing for the financing of those public improvements and a Special Assessment Agreement regarding those Special Assessments; and authorizing the execution and delivery of said agreements as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1203-07**

**A RESOLUTION LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, INSTALLING, AND EQUIPPING CERTAIN PUBLIC IMPROVEMENTS IN ANDERSON TOWNSHIP, COUNTY OF HAMILTON, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.; APPROVING THE SUBSTANTIALLY FINAL FORMS OF AN ENERGY PROJECT COOPERATIVE AGREEMENT PROVIDING FOR THE FINANCING OF THOSE PUBLIC IMPROVEMENTS AND A SPECIAL ASSESSMENT AGREEMENT REGARDING THOSE SPECIAL ASSESSMENTS; AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID AGREEMENTS.**

WHEREAS, this Board of Township Trustees (the "Board") of Anderson Township, County of Hamilton, Ohio (the "Township"), duly passed Resolution No. 20-1203-05 on December 3, 2020 (the "Resolution of Necessity"), and declared the necessity of acquiring, constructing, improving, installing, and equipping alternative energy and energy efficiency improvements, including, without limitation, roof replacement and insulation and related improvements (the "Project"), as described in the Resolution of Necessity and as set forth in the Petition requesting those improvements; and

WHEREAS, this Board duly passed Resolution No. 20-1203-06 on December 3, 2020 and determined to proceed with the Project (the "Resolution to Proceed") in cooperation with the Eastern Communities Energy Special Improvement District, Inc. (the "District"), as filed with the Fiscal Officer of the Township (the "Fiscal Officer"); and

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WHEREAS, the Township intends to enter into an Energy Project Cooperative Agreement (the "Energy Project Cooperative Agreement") with the District, 8253 Beechmont, LLC (the "Owner"), and PACE Loan Group, LLC (the "Investor") to provide for, among other things, (i) making the Project Advance (as defined in the Energy Project Cooperative Agreement) to pay costs of the Project, (ii) the disbursement of the Project Advance for the acquisition, construction, improvement, installation, and equipping of the Project, and (iii) the transfer of the Special Assessments by the Township to the Investor to pay principal and interest and other costs relating to the Project Advance; and

WHEREAS, to provide for the security for the Project Advance and for administration of payments on the Project Advance and related matters, the Township intends to enter into an agreement with the County Treasurer of Hamilton County, Ohio (the "County Treasurer"), the District, the Owner, and the Investor (the "Special Assessment Agreement").

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

SECTION 1. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

SECTION 2. The list of Special Assessments to be levied and assessed on the Project Site in an amount sufficient to pay the costs of the Project, which is \$695,824.80, and includes other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the District or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, District administrative fees and expenses, and Township expenses, which costs were set forth in the Petition and previously reported to this Board and are now on file in the office of the Fiscal Officer of the Township, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Project Site. Based solely on the representation of the Owner, the interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township.

The Special Assessments are assessed against the Property commencing in tax year 2021 for collection in 2022 and shall continue through tax year 2044 for collection in 2045. The annual amount of the Special Assessments shall be collected in each calendar year equal to the 'Annual Total Special Assessment Amount To Levy' as shown in Exhibit A, attached to and incorporated into this Resolution.

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The Fiscal Officer initially shall collect the unpaid Special Assessments in place of the County Treasurer of Hamilton County, Ohio, as provided by Ohio Revised Code Section 727.331. Upon any failure by the Owner to pay any installment of the Special Assessments to the Fiscal Officer as and when due, all unpaid and remaining future Special Assessments shall be certified by the Fiscal Officer to the County Auditor of Hamilton County, Ohio (the "County Auditor"), pursuant to the Petition and Ohio Revised Code Chapter 727.33, to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be levied on the parcel constituting the Project Site as set forth in the Petition and the List of Special Assessments attached to and incorporated into this Resolution as Exhibit A.

SECTION 3. This Board finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

SECTION 4. The Owner, for itself and for all its successors in interest as owners of the Project Site, has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be collected or certified by the Fiscal Officer as 48 semi-annual installments pursuant to Section 2 of this Resolution.

SECTION 5. The Special Assessments will be used by the Township to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the Township to the District or to another party the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 6. The Fiscal Officer shall keep the List of Special Assessments on file in the office of the Fiscal Officer.

SECTION 7. In compliance with Ohio Revised Code Section 319.61, the Fiscal Officer is authorized and directed to deliver a certified copy of this Resolution to the County Auditor within twenty (20) days after its passage.

SECTION 8. This Board hereby approves the Energy Project Cooperative Agreement, a copy of which is on file in the office of the Township Administrator. The Township Administrator is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Energy Cooperative Agreement, in substantially the form as is now on file with the office of the Township Administrator. The Energy Project Cooperative Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of the Energy Project Cooperative Agreement or amendments to the Energy Project Cooperative Agreement.

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SECTION 9. This Board hereby approves the Special Assessment Agreement, a copy of which is on file in the office of the Township Administrator. The Township Administrator is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Special Assessment Agreement, in substantially the form as is now on file with the office of the Township Administrator. The Special Assessment Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments to the Special Assessment Agreement.

SECTION 10. The Township Administrator is authorized to enter into such other agreements that are not inconsistent with the Resolution of Necessity and this Resolution and that are approved by the Township Administrator on behalf of the Township, after consultation with the Law Director, all of which shall be conclusively evidenced by the signing of such agreements or any amendments to them.

SECTION 11. 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 any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

There was no further discussion.

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

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

There was no further discussion.

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

**The Board came out of Executive Session at 2:29 p.m. for the Records Commission Meeting. The Board returned to Executive Session at 2:33 p.m.**

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

There was no further discussion.

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

ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of January 21, 2021.


  
\_\_\_\_\_  
Joshua S. Gerth, Resident

  
\_\_\_\_\_  
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 3<sup>rd</sup> day of December 2020, and that said minutes have been duly entered upon the Journal of said Township.

This 21<sup>st</sup> day of January, 2021.

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

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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The Board of Township Trustees of Anderson Township (“Board”) held its regular monthly meeting on December 17, 2020, at 5:30 p.m..

**Mrs. Earhart** welcomed attendees and 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 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 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 Human Resources Suzanne Parker
- Assistant Administrator for Operations Steve Sievers
- Law Director, Margaret Comey
- Planning and Zoning Director Paul Drury
- Hamilton County Sheriff Lt. Dan McElroy
- Fire Chief Rick Martin
- Public Works Director Eric Luginbuhl
- Fiscal Office Manager Debbie Hucker
- Event Coordinator Jennifer Sanders
- Greenspace Inspector Suzanne Clingman 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.



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

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

**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 with modifications. Mr. Pappas seconded the motion.**

There was no further discussion.

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

#### **PRESENTATIONS AND RECOGNITIONS**

Resolution Accepting Donation of AED – **Mr. Sievers** stated that a group of realtors had approached the Township regarding the “Realtors with Heart Program” whose mission was to make Cincinnati safer through Cardiopulmonary Resuscitation (CPR) education and Automated External Defibrillator (AED) placement. They would like to make a donation to the Township in memory of their colleague, Mark Burgess. **Mark Rankin**, Chairman of the 2020 Realtors with Heart Committee, explained that this was the first philanthropic committee to make cities and states more Heart-Safe through CPR training/ AED placement and advocate through legislation to get AED’s required in public buildings. Since 2012 over 2,500 people had been trained and approximately 24 AED’s had been placed throughout the community. **Tracy Dunne** with **Comey and Shepherd** stated that they had lost one of their beloved colleagues, Mark Burgess, in February to sudden cardiac arrest. To honor his memory a donation was made to the “Realtors with Heart Program” for an AED to be placed in the Township that would best serve the community.

**Resolution 20-1217-01: Mrs. Stone moved to adopt a resolution accepting donation of Automated External Defibrillator (AED) to the Township from the Realtors with Hearts Program, pursuant to the authority of Section 505.10 of the Revised Code as follows; Mr. Pappas seconded the motion:**

#### **RESOLUTION NO. 20-1217-01**

**RESOLUTION ACCEPTING DONATION OF AUTOMATED EXTERNAL DEFIBRILLATOR (AED) TO THE TOWNSHIP FROM THE REALTORS WITH HEARTS PROGRAM,**

**PURSUANT TO THE AUTHORITY OF SECTION 505.10 OF THE REVISED CODE**

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

WHEREAS, the Realtors With Hearts program, desires to donate an automated external defibrillator (AED), for a total investment of \$2,000, to be utilized in one of the Hamilton County Sheriff's Office's "Power Shift" cars, which provides service in Anderson Township, to be used in the event of a life-threatening emergency response.

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

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

SECTION 1. This Board hereby determines that it is in the best interest of the Township to accept the donation of the Property from the Realtors With Hearts program, pursuant this Board's authority contained in the Statute.

SECTION 2. This Board hereby accepts the donation of the Property from the Realtors with Hearts program and hereby expresses its appreciation to those part of this organization for making said donation.

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

There was no further discussion.

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

Tommy Galvin Graduation – Mrs. Sanders announced that Building Attendant Tommy Galvin graduated from Northern Kentucky University with a bachelor's degree in Business Administration.

Anderson Center Events Website – Mrs. Sanders reviewed the new Anderson Center Events website with the Board.

Heritage Center – Mrs. Sanders announced that the Heritage Center had become a level one arboretum. Mrs. Clingman, Greenspace Inspector, helped to identify and label all the different species of trees. Mrs. Clingman stated there were currently 48 different species of trees, which

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included wooded shrubs on the property. Planting took place this fall and 7 more trees and 3 more shrubs were added.

**PUBLIC FORUM**

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

**TRUSTEE COMMENTS**

**Mrs. Stone** sends her condolences to the family who lost relatives in a recent house fire within the Township. She encouraged everyone to check their smoke detectors. She also wanted to thank the realtors for honoring Mark Burgess and stated that the AED would be put to good use.

**Mr. Pappas** pointed out that smoke detectors were an easy thing to purchase and an easy thing to maintain. The Anderson Township Fire & Rescue Department arrived at the scene of the fire Mrs. Stone referenced, 4 minutes from the time the call was received. It had been over 20 years since the Township has had a tragedy of this caliber related to fire, thoughts and prayers go out to the family. If there was any way the community could help, he would like to know, so he could facilitate coordinating some relief if needed.

**FISCAL OFFICER**

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

Appropriation Changes –

**Resolution 20-1217-02: Mr. Pappas** moved to approve the appropriation changes as detailed by **Mr. Dietz** and as follows. **Mrs. Stone** seconded the motion.

**Appropriation Increase Fund 14 (TIF) – HB5 – Charge PW expenses to TIF**

**TIF – FUND 14**

**14.1100.0725 +\$1,600,000 PW Expense (moved from Fund 04)**

**Appropriation Reduces Fund 04 (PW)**

**FUND 04 - \$1,589,310 Moved expenses to TIF (14)**

There was no further discussion.

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

Presentation of Final Summary Appropriations and Revenues –

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**Resolution 20-1217-03: Mr. Pappas moved to approve the 2020 final summary appropriation and revenue report as presented by the Fiscal Officer. Mrs. Stone seconded the motion.**

There was no further discussion.

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

**LAW DIRECTOR**

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

**Resolution 20-1217-04: Mr. Pappas moved to adopt a resolution creating a TIF area pursuant to Section 5709.73(B) of the Ohio Revised Code, declaring the improvement to the parcels of real property located within the TIF area to be a public purpose, exempting from real property taxation 100% of that improvement, requiring the owner(s) of the parcels to make service payments in lieu of taxes providing for the distribution of a portion of those service payments to the Forest Hills Local School District and the Great Oaks Institute of Technology and Career Center Joint Vocational School District, establishing a Township Public Improvement Tax increment equivalent fund for the deposit of the remainder of those service payments, specifying the public infrastructure improvements to be made that directly benefit the parcels, and approving and authorizing the execution of a revenue sharing agreement with the Forest Hills Local School District as follows; Mrs. Stone seconded the motion:**

**RESOLUTION NO. 20-1217-04**

**A RESOLUTION CREATING A TIF AREA PURSUANT TO SECTION 5709.73(B) OF THE OHIO REVISED CODE, DECLARING THE IMPROVEMENT TO THE PARCELS OF REAL PROPERTY LOCATED WITHIN THE TIF AREA TO BE A PUBLIC PURPOSE, EXEMPTING FROM REAL PROPERTY TAXATION 100% OF THAT IMPROVEMENT, REQUIRING THE OWNER(S) OF THE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDING FOR THE DISTRIBUTION OF A PORTION OF THOSE SERVICE PAYMENTS TO THE FOREST HILLS LOCAL SCHOOL DISTRICT AND THE GREAT OAKS INSTITUTE OF TECHNOLOGY AND CAREER CENTER JOINT VOCATIONAL SCHOOL DISTRICT, ESTABLISHING A TOWNSHIP PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCELS, AND APPROVING AND AUTHORIZING THE EXECUTION OF A REVENUE**

**SHARING AGREEMENT WITH THE FOREST HILLS LOCAL SCHOOL DISTRICT.**

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

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

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

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

**WHEREAS**, pursuant to Section 5709.73 of the Ohio Revised Code, the Township will compensate Great Oaks Institute of Technology and Career Center Joint Vocational School District (the “*JVSD*” and together with the FHLSD, the “*School Districts*”) at the same rate and under the same terms received by FHLSD, meaning that the Township will compensate the JVSD at the same percentage rate of the amount of taxes that the JVSD would have received had the Improvements to the Parcels not been exempted from property taxes; and

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

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

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

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

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

**SECTION 1.** Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.73(B) of the Ohio Revised Code, this Board hereby finds and determines that one hundred percent (100%) of the increase in assessed value of the Parcels subsequent to the effective date of this Resolution (which increase in assessed value is hereinafter referred to as the “*Improvement*” or “*Improvements*” as defined in Section 5709.73(A) of the Ohio Revised Code) is hereby declared to be a public purpose and the Improvements shall be exempt from taxation for a period commencing with the first tax year that begins after the effective date of this Resolution and in which an Improvement attributable to the Parcels first appears on the tax list and duplicate of real and public utility property for the Parcels and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the Township can no longer require service payments in lieu of taxes for the Improvements, all in accordance with the requirements of the TIF Statutes.

**SECTION 2.** Service Payments and Property Tax Rollback Payments. Pursuant to Section 5709.74 of the Ohio Revised Code, this Board hereby directs and requires the Owner of the Parcels to make annual Service Payments (as defined herein) in lieu of taxes with respect to the Improvements allocable thereto to the Treasurer of Hamilton County, Ohio (the “*County Treasurer*”), on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code (collectively, the “*Service Payments*”), shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 1 of this Resolution. The Service Payments, and any other payments with respect to the Improvements that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be

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

**SECTION 3.**     Tax Increment Equivalent Fund. Pursuant to Section 5709.73 of the Ohio Revised Code, this Board hereby establishes, pursuant to and in accordance with the provisions of Section 5709.75 of the Ohio Revised Code, the Clough West TIF Area Public Improvement Tax Increment Equivalent Fund (the "*Fund*"). The Fund shall be maintained in the custody of the Township and shall receive all distributions to be made to the Township pursuant to Section 4 of this Resolution. Those Service Payments and Property Tax Rollback Payments received by the Township with respect to the Improvements to the Parcels and so deposited pursuant to Section 5709.74 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes or this Resolution. The Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved and any surplus funds remaining therein transferred to the Township's General Fund, all in accordance with Section 5709.75 of the Ohio Revised Code.

**SECTION 4.**     Distribution of Funds. The County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments to the Township. The Township will then pay to the School Districts their respective portions of the Service Payments as provided herein.

**SECTION 5.**     Public Infrastructure Improvements. This Board hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by resolution of this Board as public infrastructure improvements, as public infrastructure improvements made, to be made or in the process of being made by the Township that are necessary for the development of and directly benefit, or that once made will directly benefit, the Parcels.

**SECTION 6.**     Revenue Sharing Agreement. The form of the Revenue Sharing Agreement presently on file with the Fiscal Officer of this Board is hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to the Township and which shall be approved by the Township Administrator. The Township Administrator, for and in the name of the Township, is hereby authorized to execute the Revenue Sharing Agreement in substantially that form together with any amendments thereto, provided that the approval of changes and amendments thereto by the Township Administrator, and the character of those changes and amendments as not being substantially adverse to the Township, shall be evidenced conclusively by the execution of the Revenue Sharing Agreement and any amendments by the Township Administrator.

**SECTION 7.**     Revenue Sharing. This Board hereby determines that allocable shares of the Service Payments that the FHLSD and the JVSD, respectively, would have received from the Improvements if the Improvements were not exempt from taxation, shall be paid by the Township to the FHLSD and the JVSD on an annual basis.

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**SECTION 8.** Further Authorizations. This Board hereby authorizes and directs the Township Administrator or other appropriate officers of the Township to make such arrangements as are necessary and proper for collection of the Service Payments from the Owner, including the preparation and filing of any necessary exemption application(s). This Board further hereby authorizes and directs the Township Administrator or other appropriate officers of the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Resolution.

**SECTION 9.** Filings with Ohio Department of Development. Pursuant to Section 5709.73(I) of the Ohio Revised Code, the Township Administrator, or other appropriate officer of the Township, is hereby directed to deliver a copy of this Resolution to the Director of Development of the State of Ohio within fifteen (15) days after its effective date. Further, on or before March 31 of each year that the Exemption set forth in Section 1 of this Resolution remains in effect, the Township Administrator or other authorized officer of the Township shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.73(I) of the Ohio Revised Code.

**SECTION 10.** Preambles. The preambles shall be and shall be construed to be integral parts of this Resolution.

**SECTION 11.** Open Meetings. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

**SECTION 12.** Effective Date. This Resolution shall be in full force and effect immediately upon its passage.

There was no further discussion.

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

**PLANNING & ZONING**

**Mr. Drury** had nothing requiring Board action.

**SHERIFF'S OFFICE**

Resolution Authorizing the Purchase of Police Equipment Pursuant to Section 505.101 of the Ohio Revised Code –



**Resolution 20-1217-05: Mrs. Stone moved to adopt a resolution authorizing the purchase of police equipment pursuant to Section 505.101 of the Ohio Revised Code as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1217-05**

**AUTHORIZING THE PURCHASE OF POLICE EQUIPMENT PURSUANT TO  
SECTION 505.101 OF THE OHIO REVISED CODE**

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

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

Section 1. That the Board hereby determines that it is in the best interest of the Township to acquire by purchase a certain equipped motor vehicle, to-wit, one (1) new Ford Explorer (the "Motor Vehicle") together with all equipment required for providing police services ("Equipment" and together with Motor Vehicle, the "Equipped Vehicle"), which Equipped Vehicle is available for purchase pursuant to a bid process undertaken by the Hamilton County Sherriff's department.

Section 2. That the maximum amount to be paid as the purchase price for the Equipped Vehicle is \$34,691.00, for which TIF funds have been previously appropriated by this Board and remain otherwise unencumbered. To the extent that insurance proceeds become lawfully available for application to the purchase price of the Equipped Vehicle, the amount of the purchase price to be paid from the appropriated TIF funds shall be reduced accordingly.

Section 3. That the Township Administrator is hereby authorized to execute the necessary and appropriate purchase agreement(s) and/or documentation, after review by the Law Director, to effectuate the purchase of the Equipped Vehicle in accordance with this Resolution.

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

There was no further discussion.

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

**PUBLIC WORKS DEPARTMENT**

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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Maintenance Worker 1 –

**Resolution 20-1217-06: Mr. Pappas moved to authorize the hiring of Bob Gorth and Adam Weigel for the full-time Maintenance Worker 1 positions in the Road Maintenance Department. 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 & RESCUE**

**Chief Martin** stressed the importance of smoke detectors. They had been proven to be the singular most important protection that a family can provide to a home. The Fire Department has a program to remind people to change batteries when the clocks change for the seasons. He recognized Shift 3 lead by Battalion Chief Sean Smith, the actions they took in the first few minutes prevented this tragedy from potentially being worse.

**ADMINISTRATION**

2021 Citizen Committee Appointments –

**Resolution 20-1217-07: Mrs. Stone made a motion to appoint Steve Haber to a five year term on the Anderson Township Board of Zoning Appeals, to expire December 32, 2025; and appoint Earl Corell as the 1<sup>st</sup> Alternate and Scott Lawrence as the 2<sup>nd</sup> Alternate to the Anderson Township Board of Zoning Appeals for 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.**

**Resolution 20-1217-08: Mr. Pappas made a motion to appoint Ben Henson to a five year term on the Anderson Township Zoning Commission, to expire December 31, 2025; and appoint Michael Doenges as the 1<sup>st</sup> Alternate and Sara Jonas as the 2<sup>nd</sup> Alternate to the Anderson Township Zoning Commission for 2021. 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 20-1217-09: made a motion to appoint:**

**Katie Buchmann, Chair  
Matt Chaffin**

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**Brett Cunningham  
Stephen Feagins  
Andrea Granieri  
Lindsey Griffis  
Pinky Kocoshis  
Ken Kushner  
Lexi Lausten  
Mary Nicholson  
Karen Schwamberger  
Trenny Selfridge  
Sonia Shively  
Karl Sieber  
Kathleen Wagoner  
Susan Wheatley  
Jim Willis  
Joseph Wicker  
Maria Zigmunt  
Dee Stone, Trustee Representative**

**as members of the Anderson Township WeTHRIVE! Anderson Committee for 2021; and**

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

**as members of the Anderson Township Greenspace Advisory Committee for 2021; and**

**Trenny Selfridge, Chair  
Thomas Browning  
Jeni Berreth  
Stephen Feagins  
Peg Fenner  
Brian Gay  
Jamie Grubert  
David Habegger  
Joe Hice  
Pinky Kocoshis  
Ken Kushner  
Jay Lewis  
Mike Niehaus  
Richard Porter**

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**Karen Schwamberger  
Paul Scheckels  
Paul Sian  
Karl Sieber  
Ken Vincent  
Kurt Wells  
Brandon Woodard  
Andrew Pappas, Trustee Representative**

**as members of the Anderson Township Transportation Advisory Committee for 2021; and**

**Bruce Berno, Chair  
Ted Bergh  
Scott Beuerlein  
Jeff Caley  
John Halpin  
Patty Good  
Carol King  
Tim Kloppenborg  
Jim Rombke  
Sonia Shively  
Jason Stockslager  
Piper Stone  
Ron Trenkamp  
Rick Voss  
Joe Willging  
Andrew Pappas, Trustee Representative**

**as members of the Anderson Township Tree Committee for 2021; and**

**Paul Kitzmiller, Chair  
Elizabeth Barber  
Julie Bissinger  
Amy Broghamer  
Chris Corrado  
Jeff Cowan  
John Deeds  
Mike Doenges  
Stephen Feagins  
Jake Fraiture  
Nick Fucito  
Derek Garrison  
John Halpin  
Nicole Hunter**

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**Paige Jansen  
Philip Kiley  
Scott Miller  
Matt Owen  
Zach Peterson  
Scot Prebles  
Amy Richardson  
Jeff Rosa  
David Rose  
Benjamin Smith  
Marcus Thompson  
Josh Gerth, Trustee Representative**

**as members of the Anderson Township Economic Development Committee for 2021; and**

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

**as members of the Greater Anderson Township Betterment Commission for 2021; and**

**Abbe Lackmeyer, Chair  
Barbara Bodnarik  
Sherry Burnside  
Marcia Cole  
Clyde Dial  
Michelle LaPresto  
Steven Long  
Al Norwood  
Susan Ward  
Dee Stone, Trustee Representative**

**as members of the Anderson Township Senior Center Advisory Committee for 2021.**

There was no further discussion.

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

Native Roots Lease –

**Resolution 20-1217-10: Mr. Pappas moved to adopt a resolution approving the substantial form of Clark-Messmer property lease and authorizing the execution and delivery of said**

lease pursuant to Section 505.11(A) of the Revised Code as follows; Mrs. Stone seconded the motion:

**RESOLUTION NO. 20 - 1217 - 10**

**RESOLUTION APPROVING THE SUBSTANTIAL FORM OF CLARK-MESSMER PROPERTY LEASE AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LEASE PURSUANT TO SECTION 505.11(A) OF THE REVISED CODE**

WHEREAS, certain real property located at 6840 Clough Pike, in the Township, and comprised of four parcels further identified as Hamilton County Auditor's Tax ID Parcel Nos. 500-360-365, 500-360-37, 500-360-386, and 500-360-1928 (the "Property") is owned by the Township; and

WHEREAS, Section 505.11(A) of the Revised Code (the "Statute") authorizes a board of township trustees, when, in its opinion, the township would be benefitted, to lease certain real property to any person upon terms agreed upon by the board and lessee; and

WHEREAS, this Board finds it to be in the best interest of the Township to lease, and finds that the Township would be benefitted by leasing, the Property to Native Roots Landscaping, LLC, an Ohio limited liability company (the "Lessee"); and

WHEREAS, the Statute further provides, in relevant part, that any consideration received from the lease shall be payable, as prescribed in the lease, to the township fiscal officer, who shall deposit it in the township general fund; and

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 lease, and that the Township would be benefitted by leasing, the Property to the Lessee upon the terms and conditions provided in the Clark-Messmer Property Lease attached hereto as Exhibit A and by this reference made a part hereof (the "Lease"), the substantial form of which is hereby approved.

SECTION 2. That the Township Administrator is hereby authorized to execute and deliver the Lease 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 Lease.

SECTION 3. That any consideration received by the Fiscal Officer under the Lease shall be deposited to the Township's General Fund.

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.**

Resolution Accepting Transfer of Salem Methodist Churchyard Cemetery –

**Resolution 20-1217-11: Mrs. Stone moved to adopt a resolution accepting transfer of Salem Methodist Churchyard Cemetery from the Salem United Methodist Church, approving and authorizing the execution and delivery of an easement agreement with the Anderson Hills United Methodist Church as follows; Mr. Pappas seconded the motion:**

**RESOLUTION NO. 20-1217-11**

**A RESOLUTION ACCEPTING TRANSFER OF  
SALEM METHODIST CHURCHYARD CEMETERY FROM  
THE SALEM UNITED METHODIST CHURCH, APPROVING AND AUTHORIZING  
THE EXECUTION AND DELIVERY OF AN EASEMENT AGREEMENT WITH THE  
ANDERSON HILLS UNITED METHODIST CHURCH**

WHEREAS, Anderson Hills United Methodist Church (“AHUMC”) has merged with the Salem United Methodist Church, in a merger which has been approved by both churches and the West Ohio Conference of the United Methodist Church, according to AHUMC; and

WHEREAS, the Township and this Board have been informed that AHUMC will take possession of the Salem United Methodist Church, now known as Anderson Hills @ Salem, but that AHUMC will not take possession of the Salem Methodist Churchyard Cemetery adjacent to the Salem United Methodist Church building, and that AHUMC has proposed that Salem United Methodist Church consolidate the parcels of real property on which Salem United Methodist Church and Salem Methodist Churchyard Cemetery are located and then divide the real property into two parcels, one to be conveyed to AHUMC and one to be conveyed to the Township, acting by and through this Board, resulting in the Township’s ownership of the Salem Methodist Churchyard Cemetery; and

WHEREAS, Section 517.27 of the Ohio Revised Code provides that when title or control of a public cemetery is vested in an association or the trustees thereof, or is vested in a religious society, whether incorporated or not, or in the trustees thereof, and such cemetery is used exclusively for cemetery purposes, such association, society, or the trustees thereof may convey such grounds to the board of township trustees \*\*\* and the board shall accept and take possession of such grounds, and take care of, keep in repair, hold, treat, and manage them in all respects as required by sections 517.01 to 517.32, inclusive of the Ohio Revised Code (the “Statute”); and

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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WHEREAS, the Township is required by the Statute to accept such cemetery grounds;  
and

WHEREAS, the Statute provides that a board of township trustees may levy a tax, not to exceed one-half mill in any one year, upon all taxable property in the township to meet any costs described therein;

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

SECTION 1. Subject to the recording with the Hamilton County, Ohio Recorder of a properly executed general warranty deed from the Salem United Methodist Church to the Board conveying the real property on which the Salem Methodist Churchyard Cemetery is located, this Board acknowledges its acceptance of the Salem Methodist Churchyard Cemetery grounds for management and maintenance as required by Section 517.27 of the Ohio Revised Code.

SECTION 2. This Board hereby approves the form of Easement Agreement presented to it regarding the reciprocal maintenance easement and an ingress-egress easement relating to the Salem Methodist Churchyard Cemetery grounds, to be entered into by the Township and AHUMC (the "Easement Agreement"), and hereby authorizes the Township Administrator to execute and deliver the Easement Agreement substantially in the form before this Board with such changes thereto as the Township Administrator, after consultation with the Law Director, has determined are not materially adverse to the Township, such determination being evidenced by her execution of the Easement Agreement.

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 the Board concerning and relating to the passage of the Resolution were taken in open meetings of this Board, and that all deliberations of the 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.**

2021 Ethic Panel Appointments –

**Resolution 20-1217-12: Mr. Pappas moved to appoint Debbie Hucker (Fiscal Office), Eric Luginbuhl (Public Works), and Sarah Donovan (Planning and Zoning) to Anderson**



ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**Township Ethics Panel for two-year terms beginning January 1, 2021 and ending December 31, 2022; the Board further recognizes that Betty Cowan (Administration) and Rachel Macaluso (Fire and Rescue) will continue their terms of service on the Anderson Township Ethics Panel until December 31, 2021. Mr. Gerth seconded the motion.**

There was no further discussion.

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

LHR Resolution Appointing Margaret W. Comey and Locke Lord LLP as Law Director for 2021

**Resolution 20-1217-13: Mr. Pappas moved to adopt a Limited Home Rule Resolution appointing Margaret W. Comey and Locke Lord LLP as Law Director for a term ending December 31, 2021, and declaring an emergency as follows; Mr. Gerth seconded the motion:**

Post 12/18/2020

For fifteen days

BOARD OF TOWNSHIP TRUSTEES  
ANDERSON TOWNSHIP  
HAMILTON COUNTY, OHIO

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

M\_\_ . \_\_\_\_\_ introduced the foregoing resolution and moved its passage. M\_\_ . \_\_\_\_\_ seconded the motion.

**RESOLUTION NO. 20-1217-13**

**LIMITED HOME RULE RESOLUTION  
APPOINTING MARGARET W. COMEY AND LOCKE LORD LLP AS LAW  
DIRECTOR FOR A TERM ENDING DECEMBER 31, 2021, AND DECLARING AN  
EMERGENCY**

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

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

WHEREAS, Margaret W. Comey, Esq., is qualified by education, expertise and reputation to act as Anderson Township's Law Director, and has represented to this Board that she and the law firm of Locke Lord LLP are content to be contractually bound by the terms of this resolution to provide Law Director services to the Township; and

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

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

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

SECTION 2. Margaret W. Comey, Esq., of Hamilton County, Ohio, and Senior Counsel at the law firm of Locke Lord ("LL"), is hereby appointed as the part-time Law Director of Anderson Township ("Law Director"), together with LL, for a term ending on December 31, 2021, and otherwise upon the terms and conditions set forth in Schedule A hereto, which Schedule A is by this reference incorporated herein. The Township Administrator is hereby authorized to execute, if required by LL, an engagement letter with LL that reflects the terms of Schedule A.

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

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

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

SECTION 6. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

SECTION 7. This resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Township, and for the further reason that this Board wishes to continue to retain her services and those of LL to provide Law

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES*  
*December 17, 2020*

Director services to the Township pursuant to appointment under Chapter 504 of the Revised Code, particularly Section 504.15 thereof, for the calendar the year 2020.

**SCHEDULE A**

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

The Law Director shall faithfully perform her/its duties under Section 504.15 of the Revised Code, and as otherwise permitted or required under the Revised Code, the rules of the Supreme Court of Ohio, and applicable common law.

The Law Director may be discharged at any time, without notice or hearing, and for any reason or no reason, by a majority of the Board.

The Law Director shall be compensated at the rate of \$295.00 per hour worked on behalf of the Township in conjunction with requests from the Board of Township Trustees or its authorized staff and/or in fulfillment of her appointment. The Law Director's fees shall be billed by the law firm of LL, which firm shall be reimbursed for out of pocket expenses and office charges, including reimbursement for xerographic and laser printed copies and facsimile transmissions, at the firm's prevailing rates, and for such other or extraordinary expenses as may be approved by the Township Administrator, in accordance with Anderson Township's applicable rules. The Law Director shall be entitled to bill Anderson Township for paralegal and/or research assistant services, at rates of less than \$295 per hour, if she deems such services more cost-effective for the Board than performance of the duties described in paragraph 1 hereof.

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

Mr. Gerth \_\_\_\_\_ Mrs. Stone \_\_\_\_\_ Mr. Pappas \_\_\_\_\_

Passed at the regular meeting of the Board of Township Trustees this 17<sup>th</sup> day of December, 2020.

**FISCAL OFFICER CERTIFICATIONS**

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 17<sup>th</sup> day of December, 2020, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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The undersigned, hereby further certifies that the moneys required to meet the obligations of the Township during the fiscal year 2020 and fiscal year 2021 under the attached contract or order (or, if this is a continuing contract, to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made) have been lawfully appropriated by the Board of Township Trustees of the Township for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: December 17, 2020

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Kenneth G. Dietz  
Fiscal Officer

**CERTIFICATE OF POSTING**

I, Kenneth G. Dietz, Fiscal Officer of Anderson Township, Hamilton County, Ohio, do hereby certify that in accordance with Section 731.25 of the Revised Code, the attached Resolution was posted in accordance with its terms, beginning on December 18, 2020.

This \_\_\_ day of January, 2020.

---

Kenneth G. Dietz  
Fiscal Officer

There was no further discussion.

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

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

2020 Organizational Meeting –

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

**Resolution 20-1217-14: Mr. Pappas moved that Mr. Gerth be appointed Chair of the Board of Township Trustees for fiscal year 2021. Mrs. Stone seconded the motion.**

There was no further discussion.

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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**Mr. Dietz called the roll: Mr. Gerth, yes; Mrs. Stone, yes; Mr. Pappas, yes.**

**Resolution 20-1217-15: Mr. Gerth moved that Mrs. Stone be appointed Vice Chair of the Board of Township Trustees for fiscal year 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.**

**Mr. Dietz returned Chair to Mr. Gerth.**

**Resolution 20-1217-16: Mrs. Stone moved that the regular meetings of this Board in January through December 2021 be held on the third Thursday of each month at 5:00 p.m., beginning with Executive Session, with the public portion of the meetings commencing at 5:30 p.m., and that regular interim workshop meetings of this Board be held on the first Thursday of each month at 2:00 p.m., both unless notice indicating otherwise is duly given. Be it further resolved that the practice and procedure of adopting the agenda (including the rules pertaining to public forum) at each regular meeting of this Board shall continue to be the practice and procedure at meetings in 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.**

**Resolution 20-1217-17: Mr. Pappas moved to adopt the Temporary Appropriations for fiscal year 2021 as presented by Mr. Dietz, as follows. Mr. Gerth seconded the motion:**

**TEMPORARY 2021 APPROPRIATIONS**

General Fund	\$4,620,900
Motor Vehicle License Tax Fund	45,800
Gasoline Tax Fund	250,000
Road and Bridge Fund	919,900
Lighting Districts Fund	172,030
Police Fund	5,151,300
Fire Department Fund	12,405,300
Planning & Zoning Fund	916,100
Public Improvement Tax Increment Equivalent Fund (1994)	18,434,000
General Bond Retirement Fund	110,000
Greenspace Levy Fund	300,000
Permissive Motor Vehicle License Fund	320,000
Permanent Improvement	0
TIF 2010 (ATP)	0

*ANDERSON TOWNSHIP BOARD OF TOWNSHIP TRUSTEES  
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TIF Northern Anderson Area	0
TIF Ohio Riverfront Area I	112,000
TIF Ohio Riverfront Area II	53,500
TOTAL TEMPORARY APPROPRIATIONS	\$46,466,330
Other – Recycling (including in General Fund)	\$70,000

There was no further discussion.

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

**Resolution 20-1217-18: Mrs. Stone moved that (a) the Auditor and Treasurer of Hamilton County, in accordance with R.C. §321.34, be requested to draw and pay to Anderson Township, during fiscal year 2021, upon the written request to the County Auditor by Kenneth G. Dietz, Fiscal Officer, funds due in any settlement of 2020 derived from taxes or other sources payable by law to the County Treasurer and held in the County treasury to the account of Anderson Township, and lawfully applicable for the purposes for fiscal year 2021, and (b) the Fiscal Officer is requested under R.C. §321.342 to seek periodic advances of taxes to be drawn on the undivided estate tax fund, and (c) the Fiscal Officer shall forward to the County Auditor a certified copy of this resolution. Mr. Pappas seconded the motion.**

There was no further discussion.

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

**Resolution 20-1217-19: Mr. Pappas moved to appoint Betty Cowan, Molly Mohrfield, Lisa Farrar, and Nancy Downs as the designees who shall attend the Sunshine Law Certification Training provided by the Office of the Ohio Attorney General, and as required by Section 149.43(E)(1) of the Revised Code, on behalf of Trustees Joshua S. Gerth, Andrew S. Pappas, and Robin D. Stone, and Fiscal Officer Kenneth G. Dietz, respectively. 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 20-1217-20: Mrs. Stone moved to adopt a resolution and order employing William J. Patterson, Thomas B. Allen, Scott R. Brown, Jeffrey S. Shoskin, Benjamin J. Yoder, and Gary E. Powell, as Township Attorneys for particular matters for fiscal year 2021 as follows; Mr. Pappas seconded the motion:**

**RESOLUTION AND ORDER NO. 20 – 1217 – 20**

**RESOLUTION AND ORDER EMPLOYING**

**WILLIAM J. PATTERSON, THOMAS B. ALLEN, SCOTT R. BROWN, JEFFREY S. SHOSKIN, BENJAMIN J. YODER AND GARY E. POWELL, AS TOWNSHIP'S ATTORNEYS FOR PARTICULAR MATTERS FOR FISCAL YEAR 2021.**

WHEREAS, this Board of Township Trustees ("Board") is authorized by Section 309.09(B) of the Revised Code to employ an attorney other than the prosecuting attorney for particular matters to represent the Township and its officers in their official capacities and to advise them on legal matters; and

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

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

SECTION 1. William J. Patterson, Esq., of the law firm of Stagnaro, Saba & Patterson Co. LPA, is hereby employed as the Township's attorney for fiscal year 2021 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule A, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$225.00 per hour effective January 1, 2021.

SECTION 2. Scott R. Brown, Esq., Jeffrey S. Shoskin, Esq., and Benjamin J. Yoder, Esq., of Frost Brown Todd LLC are hereby employed as the Township's attorneys for the fiscal year 2021 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule B-1, attached hereto and incorporated herein. Said attorney's compensation shall be at the blended rate of \$310 per hour effective January 1, 2021.

SECTION 3. Thomas B. Allen, Esq., of Frost Brown Todd LLC is hereby employed as the Township's attorney for fiscal year 2021 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule B-2, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$320 per hour effective January 1, 2021.

SECTION 4. Gary E. Powell, Esq., is hereby employed as the Township's attorney for fiscal year 2021 to represent the Township and its officers in their official capacities by advising them, upon request, as to the particular matters set forth in Schedule C, attached hereto and incorporated herein. Said attorney's compensation shall be at the rate of \$150 per hour effective January 1, 2021.

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SECTION 5. Each attorney employed hereby shall be reimbursed for out-of-pocket expenses reasonably incurred in connection with the representation and provision of legal services described in this Resolution and Order.

SECTION 6. Each attorney employed hereby may be discharged at any time by majority vote of the Board and may resign his employment upon thirty (30) days' written notice to this Board; in the event of such resignation, the attorney shall make arrangements satisfactory to the Township Administrator for transfer of files related to his work for the Board (at the expense of the Board) to the Township Administrator and/or to the Township's Law Director, as the Township Administrator shall specify.

SECTION 7. The Law Director shall notify the attorneys employed hereby of the passage of this Resolution and Order.

SECTION 8. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution and Order.

SECTION 9. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution and Order were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without implied limitation, Section 121.22 of the Revised Code, except as otherwise permitted thereby.

**SCHEDULE A**

**Real estate title reports and other real estate matters**

**SCHEDULE B-1**

**Insurance law, particular zoning law violation matters and related matters**

**SCHEDULE B-2**

**Labor and employment law and related matters**

**SCHEDULE C**

- (1) Zoning matters including zoning violations and other matters pertaining to the Zoning Commission and Board of Zoning Appeals, and related committees
- (2) Litigation, unless and to the extent that the Prosecuting Attorney or other counsel employed by the Board, or by an insurer, represents the Board, the Township, and/or Township officers



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- (3) Assist staff with the issuance of property maintenance code violations and citations, as well as represent the Township on appeals or legal proceedings relating to the Code's administration
- (4) Other matters as may from time to time be requested by the Board, the Township Administrator, or by the Township's Law Director

There was no further discussion.

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

**FISCAL OFFICER'S CERTIFICATIONS**

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 17<sup>th</sup> day of December, 2020, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

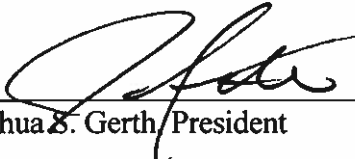
The undersigned further hereby certifies that the moneys required to meet the obligations under the attached Resolution and Order during the remainder of fiscal year 2020 and during fiscal year 2021 have been lawfully appropriated by the Board of Township Trustees for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances, and is not appropriated for any other purpose. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

This 17<sup>th</sup> day of December, 2020.

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

As there was no further business, the meeting adjourned.

These minutes were approved at the meeting of February 18, 2021.

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

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

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

This 18th day of February, 2021.

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