

Post 12/21/2018  
For fifteen days

BOARD OF TOWNSHIP TRUSTEES  
ANDERSON TOWNSHIP  
HAMILTON COUNTY, OHIO

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

Ms. Stone introduced the foregoing resolution and moved its passage. Mr. Pappas seconded the motion.

**RESOLUTION NO. 18-1220-25**

**LIMITED HOME RULE RESOLUTION  
APPOINTING MARGARET W. COMEY AND LOCKE LORD LLP AS LAW  
DIRECTOR FOR A TERM ENDING DECEMBER 31, 2019, AND DECLARING AN  
EMERGENCY**

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

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

WHEREAS, Margaret W. Comey, Esq., is qualified by education, expertise and reputation to act as Anderson Township's Law Director, and has represented to this Board that she and the law firm of Locke Lord LLP ("LL") 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:

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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 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, 2019, and otherwise upon the terms and conditions set forth in Schedule A hereto, which Schedule A is by this reference incorporated herein. The Township Administrator is hereby authorized to execute, if required by LL, an engagement letter with LL that reflects the terms of Schedule A.

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

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

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

SECTION 6. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

SECTION 7. This resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Township, and for the further reason that this Board wishes to continue to retain her services and those of LL to provide Law Director services to the Township pursuant to appointment under Chapter 504 of the Revised Code, particularly Section 504.15 thereof, for the calendar the year 2019.

## **SCHEDULE A**

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

1. The Law Director shall faithfully perform her/its duties under Section 504.15 of the Revised Code, and as otherwise permitted or required under the Revised Code, the rules of the Supreme Court of Ohio, and applicable common law.
2. The Law Director may be discharged at any time, without notice or hearing, and for any reason or no reason, by a majority of the Board.

3. The Law Director shall be compensated at the rate of \$280.00 per hour worked on behalf of the Township in conjunction with requests from the Board of Township Trustees or its authorized staff and/or in fulfillment of her appointment. The Law Director's fees shall be billed by the law firm of LL, which firm shall be reimbursed for out of pocket expenses and office charges, including reimbursement for xerographic and laser printed copies and facsimile transmissions, at the firm's prevailing rates, and for such other or extraordinary expenses as may be approved by the Township Administrator, in accordance with Anderson Township's applicable rules. The Law Director shall be entitled to bill Anderson Township for paralegal and/or research assistant services, at rates of less than \$280 per hour, if she deems such services more cost-effective for the Board than performance of the duties described in paragraph 1 hereof. The Law Director shall not be reimbursed for secretarial services or secretarial overtime, office rent, utilities or file storage, office insurance, word-processing, scanning, local telephone calls, tuition or fees for attendance at continuing legal education seminars or other seminars or township attorneys' meetings (unless the Law Director's attendance there is expressly authorized by the Board or by the Township Administrator), or any other cost or expense not germane to her duties.

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

Mr. Gerth yes Mr. Pappas yes Ms. Stone yes

Passed at the regular meeting of the Board of Township Trustees this 20<sup>th</sup> day of December, 2018.

## 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 20<sup>th</sup> day of December, 2018, 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, hereby further certifies that the moneys required to meet the obligations of the Township during the fiscal year 2019 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 20, 2018

/s/Kenneth G. Dietz

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 21, 2018.

This 20<sup>th</sup> day of December, 2018.

/s/Kenneth G. Dietz

Kenneth G. Dietz  
Fiscal Officer

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