

## RESOLUTION #001-2021

### RESOLUTION TO APPROVE A THREE (3)-YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE MIAMI TOWNSHIP POLICE OFFICERS UNION

- Whereas,** the Miami Township Board of Trustees authorized the Township Administrator, the Police Chief, and Legal Counsel to negotiate a collective bargaining agreement for Police Officers with the Miami Township Police Officers Union; and
- Whereas,** said negotiations were conducted in accordance with Ohio Revised Code Section 4117, and said negotiations will promote the health, safety, and welfare of the employees, businesses, and residents of Miami Township; and
- Whereas,** the membership of the Miami Township Police Officers Union ratified the proposed collective bargaining agreement; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approves the collective bargaining agreement between Miami Township and the Miami Township Police Officers Union, effective March 1, 2020 through February 28, 2023, with retroactivity to March 1, 2020.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron E. Newell, Fiscal Officer

Passed: January 5, 2021

## RESOLUTION #002-2021

### RESOLUTION TO SELL PROPERTY TO A RETIRING EMPLOYEE

- Whereas,** Officer Robert Sakal is retiring his commission as Police Officer at the end of business on December 31, 2020; and
- Whereas,** Article 34 Section 1, of the Collective Bargaining Agreement between the Fraternal Order of Police Inc. and the Miami Township Board of Trustees, authorizes any union member, who honorably retires with a service retirement, the option to purchase their service weapon for one (\$1.00) dollar; and
- Whereas,** Officer Robert Sakal has requested to purchase his Glock service weapon serial number BEYC783 for \$1.00; and
- Whereas,** the Board of Trustees has considered Officer Robert Sakal's request for the purchase of his service weapon for \$1.00; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading

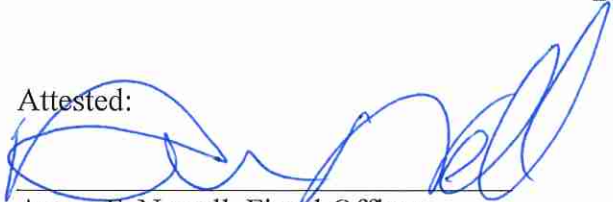
**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the sale of a Glock service weapon with serial number BEYC783 to Officer Robert Sakal for the amount of \$1.00 respectfully, and the sale is effective immediately.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: January 5, 2021

**RESOLUTION #003-2021**

**RESOLUTION TO DECLARE CERTAIN TOWNSHIP ARTICLES AS SURPLUS PROPERTY AND AUTHORIZE THE SALE OR DISPOSAL OF SAID PROPERTY**

- Whereas,** the Ohio Revised Code, Section 505.10, establishes procedures by which the Township can sell, trade-in or dispose of Township owned articles; and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code; and
- Whereas,** the Road Department has a list of articles which are no longer needed, broken and/or worn out and beyond useful purpose; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the attached list of articles as surplus property to be disposed of, sold, or traded-in and removed from the department's inventory.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested.

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: January 5, 2021

## RESOLUTION #004-2021

### RESOLUTION TO ADJUST PAY SCALE FOR THE PLANNER POSITION

- Whereas,** Miami Township is a growing community with a population of almost 30,000 and provides a variety of services; and
- Whereas,** it is desired to increase the responsibilities of the Planner position within the Community Development Department; and
- Whereas,** the Planner position will be gaining supervisory tasks and become an exempt salary position; and
- Whereas,** a job description and accompanying pay scale for the updated Planner position has been created by the Director of Community Development and has been reviewed and approved by the Township Administrator; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees hereby directs Township Administrator Ronald L. Hess to take the necessary actions to have the Pay Schedule reflect the updates to the job description for the Planner position effective immediately.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron J. Newell, Fiscal Officer

Passed: January 5, 2021

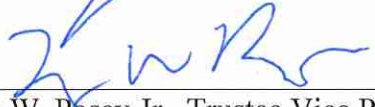
**RESOLUTION #005-2021**

**RESOLUTION TO CREATE A  
PLANNING TECHNICIAN/INSPECTOR POSITION**

- Whereas,** the Board of Trustees is the authority for creating authorized positions within Miami Township's compliment of personnel; and
- Whereas,** there is a need to create one (1) full-time hourly Planning Technician/Inspector position in the Community Development Department to serve as one of the department's zoning inspectors; and
- Whereas,** a job description and accompanying pay scale for the newly created position has been created by the Community Development Director and has been reviewed and approved by the Township Administrator; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Board of Trustees authorizes the creation of one (1) full-time hourly Planning Technician/Inspector position, and directs staff to take the necessary actions to fill the position, effective immediately.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: January 5, 2021

**RESOLUTION #006-2021**

**RESOLUTION TO ADOPT A PLANNED DEVELOPMENT  
REGULATION AMENDMENT FOR LYONS BUSINESS PARK, UNDER  
ZONING CASE #183-86, FOR LANDS ZONED "PD-5", PLANNED  
MIXED-USE DISTRICT**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, January 5, 2021; and

**Whereas,** Zoning Case #183-86 filed by Lyons Business Park, LLC, proposes adoption of a planned development regulation amendment for Lyons Business Park and for lands zoned "PD-5", Planned Mixed-Use District and pursuant to Section 3111D(2)c of the Miami Township Zoning Resolution, modification of the approved Final Development Plan for Building One; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the planned development regulation amendment and modification of the final development plan for Building One under Zoning Case #183-86 and upholds the Zoning Commission recommendation.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron Newell, Fiscal Officer

Passed: January 5, 2021

**RESOLUTION #007-2021**

**RESOLUTION TO DECLARE IT NECESSARY TO REPLACE A TAX LEVY  
IN EXCESS OF THE TEN (10) MILL LIMITATION FOR FIRE/EMS SERVICES**


**Whereas,** the amount of taxes which may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Miami Township, Montgomery County, Ohio; and

**Therefore Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio, two thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten (10) mill limitation for the benefit of the unincorporated area of Miami Township, Montgomery County, Ohio, for the purpose of paragraph (I) Section 5705.19 ORC, “for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs”, at a rate not exceeding 3.65 mills for each one dollar of valuation, which amounts to \$0.365 for each one hundred dollars of valuation for five (5) years, and which is a replacement of an existing levy of 3.65 mills commencing in 2021, first due in calendar 2022; and

**Be It Further Resolved,** said levy be placed upon the tax list to be collected in the calendar year of 2022, if a majority of the electors voting in the May 4, 2021 primary election thereon vote in favor thereof; and


**Be It Further Resolved,** the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than ninety (90) days before the May 4, 2021 primary election upon which it will be voted and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

**SIGNATURE PAGE FOR RESOLUTION 007-2021**



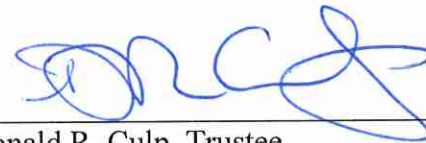
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John Morris, Trustee President



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Terry W. Posey, Jr., Trustee Vice President



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Donald R. Culp, Trustee

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: January 19, 2021

**RESOLUTION #008-2021**

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR  
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE AN  
AGREEMENT WITH THE MONTGOMERY COUNTY MICROFILMING  
BOARD**


**Whereas,** Miami Township desires to retain the services of the Montgomery County Microfilming Board for microfilming certain documents and storage of certain microfilms; and

**Whereas,** Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and

**Whereas,** Miami Township is satisfied with said services and the Director of Community Development is recommending the signing of an agreement with the Montgomery County Microfilming Board; and

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Montgomery County Microfilming Board establishing rates for the creation and storage of microfilm records from January 1, 2021 through December 31, 2021 as outlined in the agreement on file with Miami Township.

  
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John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:



Aaron F. Newell, Fiscal Officer

Passed: January 19, 2021

**RESOLUTION #009-2021**

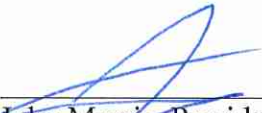
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO APPROVE A MEMORANDUM OF UNDERSTANDING TO CLARIFY RESPONSIBILITIES, EXPECTATIONS AND RELATIONSHIPS BETWEEN HILLGROVE UNION CEMETERY BOARD, THE CITY OF MIAMISBURG AND MIAMI TOWNSHIP TRUSTEES.**


**Whereas,** Miami Township and the City of Miamisburg have created the Hillgrove Union Cemetery, pursuant to Ohio Revised Code 759.36, to manage the Hillgrove Cemetery once transferred from the Miamisburg Cemetery Association; and

**Whereas,** the Miami Township Board of Trustees desires the Township Administrator be authorized to approve a memorandum of understanding to formalize and clarify responsibilities, expectations and relationships between Hillgrove Union Cemetery Board, The City of Miamisburg and Miami Township Trustees among all three parties from January 1, 2021 through December 31, 2021; and

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon it is first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes Ronald L. Hess, Township Administrator, to approve a memorandum of understanding between Hillgrove Union Cemetery Board, The City of Miamisburg and the Miami Township Trustees as outlined above.

  
\_\_\_\_\_  
John Morris, President

  
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Terry W. Posey Jr., Vice-President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:  
  
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Aaron F. Newell, Fiscal Officer

Passed: February 2, 2021

RLH:emp

## RESOLUTION #010-2021

### A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE FOURTH AMENDMENT TO COOPERATIVE AGREEMENT

- Whereas,** Miami Township (Montgomery County), Ohio (the “Township”), the Montgomery County Transportation Improvement District (the “TID”), the City of Miamisburg, Ohio (“Miamisburg”), the City of Springboro, Ohio (“Springboro”), and the Miamisburg City School District (the “School District”) have entered into a Cooperative Agreement dated as of December 15, 2005 (the “Original Agreement”), as amended and supplemented by the First Amendment to Cooperative Agreement by and among the parties, dated July 8, 2008; the Supplement to Cooperative Agreement by and among the TID, the Township, Miamisburg and Springboro, dated January 8, 2009; the Second Supplement to Cooperative Agreement by and among the TID, the Township, Miamisburg and Springboro, dated November 3, 2009; the Second Amendment to Cooperative Agreement by and among the TID, the Township, Miamisburg and Springboro, dated July 21, 2010; the Third Supplement to Cooperative Agreement by and among the TID, the Township and Miamisburg, dated July 29, 2011; and the Third Amendment to Cooperative Agreement by and among the parties, dated August 23, 2011 (the Original Cooperative Agreement, together with all amendments and supplements thereto, hereinafter referred to as the “Cooperative Agreement”), providing for, among other things, the financing and the development of an interchange on Interstate 75 at the Intersection with Springboro Road/Austin Pike, and constructing related surface street projects, including Byers Road, Austin Pike, and Springboro Road, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, relocating and installing utilities, constructing sidewalks and bikeways, installing traffic signalization, and acquiring related interests in real property, together with all necessary appurtenances thereto (collectively, the “Project”); and
- Whereas,** the Cooperative Agreement includes certain cross-guaranty provisions that the Township, the TID, Miamisburg, and Springboro have concluded and agreed are no longer necessary for completion of each party’s obligations contemplated in the Cooperative Agreement (the “Cross-Guaranty Provisions”); and
- Whereas,** under the terms of the Cooperative Agreement, the District issued its \$20,335,000 Montgomery County Transportation Improvement District (Ohio) Transportation Improvement, Series 2010B (Austin Road Interchange and Related Projects) (the “TID Bonds”), the Township issued its \$11,519,999.68 Miami Township (Montgomery County), Ohio Road Improvement Bonds, Series 2010C (Austin Road Interchange and Related Projects) (the “Township Bonds”), Miamisburg issued its \$4,580,000.13 City of Miamisburg Road Improvement Bonds (Austin Road Interchange and Related Projects), Series 2010 (the “Miamisburg Bonds”), and Springboro issued its \$4,235,000.14 City of Springboro Road Improvement Bonds (Austin Road Interchange Project), Series 2010 (the “Springboro Bonds”)

and, together with the TID Bonds, the Township Bonds, and the Miamisburg Bonds, the “Bonds”); and

**Whereas,** the Cooperative Agreement provides for the optional redemption of the Bonds with the written consent of the Township, the TID, Miamisburg, and Springboro; and

**Whereas,** the Township, the TID, Miamisburg, and Springboro each desire to enter into a Fourth Amendment to the Cooperative Agreement (the “Fourth Amendment”) to eliminate the Cross-Guaranty Provisions and consent to the optional redemption of the Bonds; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the following:

Section 1. Approval of the Fourth Amendment. The Fourth Amendment now on file with this Board is approved, and the Administrator is authorized to sign and deliver, on behalf and in the name of the Township, that Fourth Amendment with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Administrator, all of which shall be evidenced conclusively by the signing of that Fourth Amendment.


Section 2. Compliance With Open Meeting Requirements. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of 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.

Section 3. Effective Date. This Resolution shall be in full force and effect immediately upon its passage. Each section of this resolution and each subdivision or paragraph of any section hereof and each sentence of a paragraph hereof is hereby declared to be independent and the finding or holding of any section or any subdivision, paragraph or sentence hereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision, paragraph or sentence of this resolution.

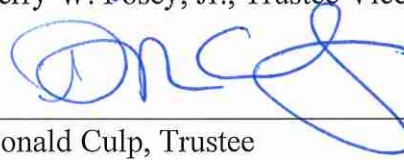
**SIGNATURE PAGE ONLY FOR RESOLUTION #010-2021**



John Morris, Trustee President



Terry W. Posey, Jr., Trustee Vice President



Donald Culp, Trustee

Attested:



Aaron Newell, Fiscal Officer  
Passed: February 2, 2021

**RESOLUTION #011-2021**

**RESOLUTION TO APPROVE A FINAL DEVELOPMENT PLAN FOR  
AREA A OF THE EXCHANGE AT SPRING VALLEY, UNDER  
ZONING CASE #374-05**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, February 2, 2021; and

**Whereas,** Zoning Case #374-05 filed by Jennie Duke of RDA Group Architects, proposes a final development plan within Area A of the Exchange at Spring Valley, for the Arthritis and Osteoporosis Center of Southwest Ohio; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approves the final development plan under Zoning Case #374-05 and adopts the Zoning Commission recommendation.

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_

Aaron Newell, Fiscal Officer

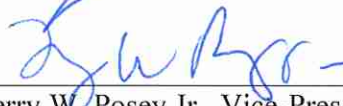
Passed: February 2, 2021

**RESOLUTION #012-2021**  
**RESOLUTION TO DECLARE PROPERTY AS SURPLUS**  
**PROPERTY AND AUTHORIZE THE SALE OF SAID**  
**PROPERTY**

- Whereas,** the Ohio Revised Code Section 505.10 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles; and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code; and
- Whereas,** Miami Township has miscellaneous computer related property (see attached), which is no longer needed, broken and /or worn out and beyond useful purpose; and
- Whereas,** Miami Township has miscellaneous cellular telephones (see attached), which is no longer needed, broken and /or worn out and beyond useful purpose; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** that in accordance with the Ohio Revised Code, Section 505.10 the Miami Township Board of Trustees declares the attached listed items as surplus property to be disposed by destroying or recycling and remove them from the Township's inventory.

  
\_\_\_\_\_  
John Morris, President

  
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Terry W. Posey Jr., Vice-President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: February 16, 2021

RLH:emp

## RESOLUTION #013-2021

### RESOLUTION REGARDING ABATING DANGEROUS PROPERTY CONDITIONS

**Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.86 of the Ohio Revised Code, to provide for the removal, repair, or securance of buildings or other structures in the Township; and

**Whereas,** Public Health – Dayton & Montgomery County (Public Health) has pursuant to Section 505.86 declared the structure located at 6623 Farmington Road, being further described below, to be in a condition dangerous to life and health and unfit for human habitation; and

**Whereas** the Miami Township Board of Trustees intends to remove said structure based upon the findings and declaration of Public Health in a letter dated January 28, 2021 and the report of the Zoning Inspector for Miami Township presented on this date; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees orders the owners and/or lien holders to abate the dangerous property conditions within thirty (30) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, or the owner and/or lien holder of said property may, within twenty (20) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, request a hearing to the Township Fiscal Officer in writing or may at any time enter into an agreement with the Board of Township Trustees to perform the removal, repair, or securance of the unfit building located at the address below, effective immediately; and

**Be It Further Resolved,** if such dangerous property conditions is not abated within thirty (30) days and no hearing has been requested pursuant to Section 505.86 of the Ohio Revised Code, the Miami Township Board of Trustees, hereby orders the removal (demolition) of said structure and authorizes staff to contract the abatement of the dangerous property conditions through the Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program and assess the costs to the property tax duplicate:

**6623 Farmington Road**


Parcel ID #K50 02508 0049

Vhonda G. Rowland

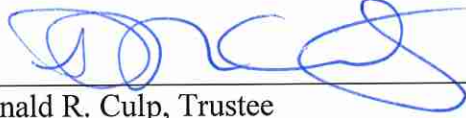
6623 Farmington Road

Miamisburg, OH 45342


**SIGNATURE PAGE FOR RESOLUTION #013-2021 ONLY**

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron Newell, Fiscal Officer  
Passed: February 16, 2021

## RESOLUTION #014-2021

### RESOLUTION REGARDING ABATING DANGEROUS PROPERTY CONDITIONS

**Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.86 of the Ohio Revised Code, to provide for the removal, repair, or securance of buildings or other structures in the Township; and

**Whereas,** Public Health – Dayton & Montgomery County (Public Health) has pursuant to Section 505.86 declared the structure located at 6653 Farmington Road, being further described below, to be in a condition dangerous to life and health and unfit for human habitation; and

**Whereas** the Miami Township Board of Trustees intends to remove said structure based upon the findings and declaration of Public Health in a letter dated January 28, 2021 and the report of the Zoning Inspector for Miami Township presented on this date; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees orders the owners and/or lien holders to abate the dangerous property conditions within thirty (30) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, or the owner and/or lien holder of said property may, within twenty (20) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, request a hearing to the Township Fiscal Officer in writing or may at any time enter into an agreement with the Board of Township Trustees to perform the removal, repair, or securance of the unfit building located at the address below, effective immediately; and

**Be It Further Resolved,** if such dangerous property conditions is not abated within thirty (30) days and no hearing has been requested pursuant to Section 505.86 of the Ohio Revised Code, the Miami Township Board of Trustees, hereby orders the removal (demolition) of said structure and authorizes staff to contract the abatement of the dangerous property conditions through the Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program and assess the costs to the property tax duplicate:

**6653 Farmington Road**

Parcel ID #K50 02508 0055

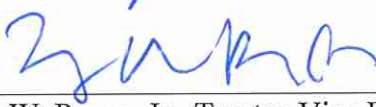
Anna L. Rowland

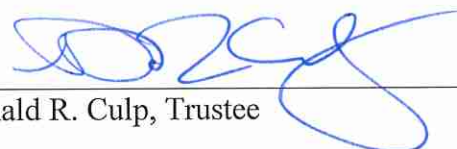
6653 Farmington Road

Miamisburg, OH 45342

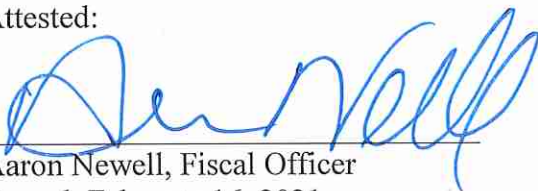
**SIGNATURE PAGE FOR RESOLUTION #014-2021 ONLY**

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron Newell, Fiscal Officer  
Passed: February 16, 2021

## RESOLUTION #015-2021

### RESOLUTION REGARDING ABATING DANGEROUS PROPERTY CONDITIONS

**Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.86 of the Ohio Revised Code, to provide for the removal, repair, or securance of buildings or other structures in the Township; and

**Whereas,** Public Health – Dayton & Montgomery County (Public Health) has pursuant to Section 505.86 declared the structure located at 7001 Lower Miamisburg Road, being further described below, to be in a condition dangerous to life and health and unfit for human habitation; and

**Whereas** the Miami Township Board of Trustees intends to remove said structure based upon the findings and declaration of Public Health in a letter dated January 28, 2021 and the report of the Zoning Inspector for Miami Township presented on this date; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees orders the owners and/or lien holders to abate the dangerous property conditions within thirty (30) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, or the owner and/or lien holder of said property may, within twenty (20) days of the date of the mailing of this resolution and/or the date of publication of notice in a newspaper of general circulation in the township, request a hearing to the Township Fiscal Officer in writing or may at any time enter into an agreement with the Board of Township Trustees to perform the removal, repair, or securance of the unfit building located at the address below, effective immediately; and

**Be It Further Resolved,** if such dangerous property conditions is not abated within thirty (30) days and no hearing has been requested pursuant to Section 505.86 of the Ohio Revised Code, the Miami Township Board of Trustees, hereby orders the removal (demolition) of said structure and authorizes staff to contract the abatement of the dangerous property conditions through the Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program and assess the costs to the property tax duplicate:

**7001 Lower Miamsiburg Road**

Parcel ID #K45 02503 0053

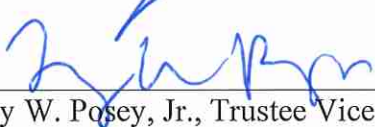
Austin Carter

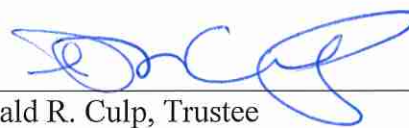
7001 Lower Miamisburg Road

Miamisburg, OH 45342

**SIGNATURE PAGE FOR RESOLUTION #015-2021 ONLY**

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron Newell, Fiscal Officer

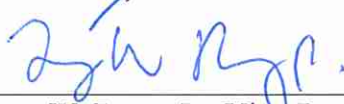
Passed: February 16, 2021

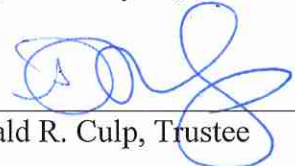
**RESOLUTION #016-2021**  
**RESOLUTION TO DECLARE PROPERTY AS SURPLUS**  
**PROPERTY AND AUTHORIZE THE DISPOSAL OF SAID**  
**PROPERTY**

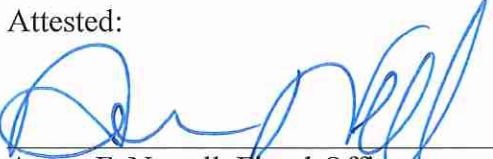
- Whereas,** the Ohio Revised Code Section 505.10 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles, and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code, and
- Whereas,** Miami Township has miscellaneous office furniture related property (see attached), which is no longer needed, broken and /or worn out and beyond useful purpose; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two different days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** that in accordance with the Ohio Revised Code, Section 505.10 the Miami Township Board of Trustees declares the attached listed items as surplus property to be disposed by sale on Gov Deals, destroying or donating and removed them from the Township's inventory.

  
\_\_\_\_\_  
John Morris, President

  
\_\_\_\_\_  
Terry W. Posey Jr., Vice-President

  
\_\_\_\_\_  
Donald R. Culp, Trustee

Attested:  
  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: March 2, 2021  
RLH:emp

**RESOLUTION #017-2021**

**A RESOLUTION AUTHORIZING MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO (THE "TOWNSHIP") TO ISSUE BONDS IN THE AMOUNT OF NOT TO EXCEED \$13,000,000 FOR THE PURPOSE OF REDEEMING ITS MIAMI TOWNSHIP (MONTGOMERY COUNTY), OHIO ROAD IMPROVEMENT BONDS, SERIES 2010C (AUSTIN ROAD INTERCHANGE AND RELATED PROJECT), DATED JULY 30, 2010 AND ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$11,519,999.68; REFUNDING THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (OHIO) TRANSPORTATION IMPROVEMENT SPECIAL OBLIGATION BONDS, SERIES 2010B (AUSTIN ROAD INTERCHANGE AND RELATED PROJECTS) DATED JULY 30, 2010 AND ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$20,335,000; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF FISCAL OFFICER, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE CERTIFICATE, A BOND REGISTRAR AGREEMENT, AN ESCROW DEPOSIT AGREEMENT, AND OTHER RELATED MATTERS IN CONNECTION THEREWITH.**

**WHEREAS,** pursuant to Resolution No. 98-2010, duly passed by the Board of Township Trustees (the "Board") on July 13, 2010, the Township issued its Road Improvement Bonds, Series 2010C (Austin Road Interchange and Related Project) dated July 30, 2010 and issued in the original principal amount of \$11,519,999.68 (the "Township Bonds"), for the purpose of paying the costs, in cooperation with the Ohio Department of Transportation, the Montgomery County Transportation Improvement District (Ohio) (the "District"), and the Cities of Miamisburg ("Miamisburg") and Springboro ("Springboro"), Ohio, of constructing an interchange on Interstate 75 at the intersection with Springboro Road/Austin Pike, and constructing related surface street projects, including Byers Road, Austin Pike, and Springboro Road, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, relocating, and installing utilities, constructing sidewalks and bikeways, installing traffic signalization, and acquiring related interests in real property, together with all necessary appurtenances thereto (collectively, the "Project"); and

**WHEREAS,** pursuant to Ordinance No. 0-10-31, duly passed by the City Council of Springboro on July 15, 2010, Springboro issued its Road Improvement Bonds, Series 2010 (Austin Road Interchange Project) dated July 30, 2010 and issued in the original principal amount of \$4,235,000.14 (the "Springboro Bonds"), for the purpose of paying the costs, in cooperation with the Ohio Department of Transportation, the Montgomery County Transportation Improvement District (Ohio), the City of Miamisburg, Ohio, and the Township, of the Project; and

**WHEREAS,** pursuant to Ordinance No. 6209, duly passed by the City Council of Miamisburg on July 20, 2010, Miamisburg issued its Road Improvement Bonds, Series 2010 (Austin Road Interchange and Related Project) dated July 30, 2010 and issued in the original principal amount of \$4,580,000.13 (the "Miamisburg Bonds" and, together with the Township Bonds and the Springboro Bonds, the "Subdivision Bonds"), for the purpose of paying the costs, in cooperation with the Ohio Department of Transportation, the Montgomery County

Transportation Improvement District (Ohio), the City of Springboro, Ohio, and the Township, of the Project; and

**WHEREAS,** pursuant to Resolution No. 2010-57, adopted on July 12, 2010, the TID issued its Transportation Improvement Special Obligation Bonds, Series 2010B (Austin Landing Project) dated July 30, 2010 in the original principal amount of \$20,335,000 (the "TID Bonds"), the proceeds of which were used to purchase the Subdivision Bonds in accordance with Section 555.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended by Sub S.B. 35 of the 127th General Assembly and to pay costs of the Project; and

**WHEREAS,** in view of currently lower interest rates, the Board has determined that it is advisable and in the best interest of the Township to issue Bonds, as defined herein, to redeem the Township Bonds and, in cooperation with Miamisburg and Springboro, refund the TID Bonds; and

**WHEREAS,** the Fiscal Officer of the Board (the "Fiscal Officer") has certified to this Board that the estimated life of the improvements (calculated in accordance with Ohio Revised Code Section 133.20) which are financed with the proceeds of the Bonds, hereinafter referred to, exceeds five years and the maximum maturity of the bonds is at least ten (10) years;

**THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Miami Township, Montgomery County, Ohio that:

Section 1. It is hereby declared necessary to issue bonds of the Township in the principal sum of not to exceed Thirteen Million Dollars and No/100 (\$13,000,000) or such lesser amount as shall be determined by the Fiscal Officer and certified to this Board, which bonds shall be designated as "Miami Township, Montgomery County, Ohio Various Purpose General Obligation Refunding Bonds, Series 2021 (Limited Tax)," or as otherwise designated by the Fiscal Officer (the "Bonds"), for the purpose described in the title of this Resolution. The Fiscal Officer is hereby directed and authorize to provide notice for the redemption of the Township Bonds as set forth therein.

Section 2. The Bonds shall be issued as fully registered bonds in book entry form only, in such denominations as shall be determined by the Fiscal Officer, but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered consecutively from R-1 upward, as determined by the Fiscal Officer; shall be dated the date determined by the Fiscal Officer and set forth in the Certificate of Fiscal Officer provided for in Section 3 below.

Section 3. The Fiscal Officer is hereby authorized and directed to execute on behalf of the Township, and to forward to the Auditor of Montgomery County, Ohio, a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount of the Bonds and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Resolution, shall be as determined by the Fiscal Officer. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Dates"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all of the Bonds shall not exceed five and one-half per centum (5.50%) per annum), the optional and mandatory redemption provisions, if any,

and such other terms not inconsistent with this Resolution as the Fiscal Officer shall deem appropriate in his discretion on behalf of this Board.

Section 4. The Bonds shall be issued with interest payable semiannually on each Interest Payment Date until the principal sum is paid or provision has been duly made therefor in such proportions as shall be set forth in the Certificate of Fiscal Officer provided hereof. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months unless otherwise determined by the Fiscal Officer. The Bonds shall be in the denominations of \$5,000 or any integral multiple thereof.

Section 5. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined herein below) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select a Bond or portion thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected shall be in the amount of \$5,000 or any integral multiple thereof unless otherwise determined by the Fiscal Officer.

The notice of the call for redemption of a Bond shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bond or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Current Interest Bond (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of the Bond to be redeemed at the address shown in the Bond Register (as defined hereinbelow) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

Section 6. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Resolution, and the Bonds shall be executed by at least two members of the Board and by the Fiscal Officer in their official capacities, provided that any or all of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Resolution and is entitled to the security and benefit of this Resolution. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Fiscal Officer on behalf of the Township. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Section 7. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been

paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8.

The Fiscal Officer is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds or to execute on behalf of the Board a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Fiscal Officer and Hilltop Securities, Inc., or such other purchaser as stated in the Certificate of Fiscal Officer (the "Original Purchaser"), pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (collectively, the "Bond Registrar") for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Fiscal Officer in such officer's discretion shall determine that it would be in the best interest of the Township for such functions to be performed by another party, the Fiscal Officer may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the Township shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions hereof, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the Township nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and

discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate, and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Township and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business fifteen (15) days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part; following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the Township shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The exchange or transfer shall be without charge to the owner; except that the Township and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the Township, evidencing the same debt, and entitled to the same benefits under this Resolution, as the Bonds surrendered upon that transfer or exchange.

Section 9.

For purposes of this Resolution, the following terms shall have the following meanings: “Book entry form” or “book entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Bonds, and to effect transfers of Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Resolution: (i) there shall be a single Bond of each maturity; (ii) those

Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township. Bond service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Bond Registrar may, with the approval of the Township, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Township. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the Township. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

If requested, the Fiscal Officer, or any other officer of this Board is authorized and directed to execute, acknowledge, and deliver, in the name of and on behalf of the Township, a letter agreement among the Township, the Bond Registrar and the Depository. Trust Company, as depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system in substantially the form submitted to the Board.

If any Depository determines not to continue to act as the Depository for the Bonds for use in a book entry system, the Township and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If the Township and the Bond Registrar do not or are unable to do so, the Township and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the Township or the Bond Registrar, of those persons requesting such issuance.

Section 10.

There shall be and is hereby levied annually on all the taxable property in the Township, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon

the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 11. The Debt Service Levy shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the Township determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Township shall appropriate such funds to the payment of the Bonds in accordance with law.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the Township to the prompt payment of the debt charges on the Bonds.

Section 12. The Bonds shall be sold at private sale to the Original Purchaser at the purchase price, both as set forth in the Certificate of Fiscal Officer, plus interest accrued, if any, to the date of delivery of the Bonds. The Fiscal Officer is authorized and directed to execute on behalf of the Board a Bond Purchase Agreement with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which agreement shall be in such form, not inconsistent with the terms of this Resolution, as the Fiscal Officer shall determine.

The proceeds from the sale of the Bonds, except the premium and accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose. Any accrued interest received from such sale shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the Township, as permitted by law. Any premium from the sale of the Bonds shall be deposited into the fund or funds specified in the Certificate of Fiscal Officer and shall be used for the proper purposes of such fund or funds.

Section 13. The Fiscal Officer is hereby authorized, and directed if deemed necessary, to execute and deliver an "Escrow Deposit Agreement" or similar agreement (the "Escrow Deposit Agreement") with such banking association selected by the Fiscal Officer to serve as Escrow Trustee (the "Escrow Trustee"), pursuant to which the Escrow Trustee shall: (i) maintain a trust fund for the proceeds of any TID Bonds deposited with the Escrow Trustee for the defeasance of the TID Bonds, in accordance with the terms of the Escrow Deposit Agreement; and (ii) if appropriate, be appointed and serve as the co-paying agent for the TID Bonds. The Escrow Deposit Agreement shall be in such form and shall contain such terms, covenants, and conditions not inconsistent with this Resolution as shall be approved by the officer executing the same. The approval of the Escrow Deposit Agreement shall be conclusively evidenced by the execution thereof by the Fiscal Officer.

Section 14. The Fiscal Officer is hereby authorized to direct the Finance Director to obtain any and all approvals as may be necessary, at the discretion of the Fiscal Officer, from the District,

Springboro, and Miamisburg to proceed with the issuance of the Bonds and the refunding of the TID Bonds.

Section 15.

The Board hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as -amended (the "Code"). The Board further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Fiscal Officer, or any other officer of this Board, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Board with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Fiscal Officer, which action shall be in writing and signed by the Fiscal Officer, or any other officer of the Board, on behalf of the Board; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the Board, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Board pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the Board regarding compliance by the Board with Sections 141 through 150 of the Code and the Regulations.

The Fiscal Officer shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Township to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of bond proceeds which may be invested on an unrestricted yield or requires the Township to rebate arbitrage profits to the United States Department of the Treasury. The Fiscal Officer is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Section 16.

The distribution of an Official Statement or similar offering document of the Township, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Trustees of the Board and the Fiscal Officer are hereby authorized to negotiate and prepare and at least two of the Trustees of the Board and the Fiscal Officer is hereby authorized to execute, on behalf of the Township and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements

thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the Township. The Trustees of the Board and the Fiscal Officer are each authorized to execute and deliver, on behalf of the Township and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 17. For the benefit of the owners and beneficial owners from time to time of the Bonds, the Township agrees, as the only obligated person with respect to the Bonds under Rule 15c2-12 prescribed by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form on file with this Board is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Certificate by the Fiscal Officer.

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

Section 18. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to (i) obtain or update a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) purchase a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, the Fiscal Officer is hereby authorized to take such steps necessary to obtain such rating or policy of insurance, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

Section 19. The law firm of Frost Brown Todd LLC is hereby appointed to serve as bond counsel to the Township in connection with the issuance of the Bonds.

Section 20. The Fiscal Officer or any two Trustees, acting alone or together, are further authorized and directed to execute the any certifications, financing statements, assignments, agreements, terminations, and security instruments, and to take such further actions as are necessary or appropriate to implement the transactions contemplated in this Resolution and to consummate the transactions contemplated in this Resolution. All actions heretofore taken by the officers and officials of the Authority and of this Board in connection with the

redemption of the Township Bonds and the refunding of the TID Bonds are hereby ratified and approved.

Section 21. The officer having charge of the minutes of the Board and any other officers of the Board, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Board relating to the power and authority of the Township to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Fiscal Officer and a no-litigation certificate of at least two of the Trustees of the Board and the Fiscal Officer, and such certified copies and certificates shall be deemed representations of the Township as to the facts stated therein.

Section 22. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the Township have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the Township are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 23. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of 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.


Section 24. The Fiscal Officer is hereby directed to forward a certified copy of this Resolution and a copy of the Certificate of Fiscal Officer, as soon as each is available, to the Auditor of Montgomery County, Ohio.


Section 25. This Resolution shall be in full force and effect immediately upon its passage. Each section of this resolution and each subdivision or paragraph of any section hereof and each sentence of a paragraph hereof is hereby declared to be independent and the finding or holding of any section or any subdivision, paragraph, or sentence hereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision, paragraph, or sentence of this resolution.

[Signature Page Immediately Follows]

**SIGNATURE PAGE ONLY FOR RESOLUTION #017-2021**

  
\_\_\_\_\_  
John Morris, Trustee President

  
\_\_\_\_\_  
Terry W. Posey, Jr., Trustee Vice President

  
\_\_\_\_\_  
Donald Culp, Trustee

Attested:

  
\_\_\_\_\_  
Aaron Newell, Fiscal Officer  
Passed: March 2, 2021

**RESOLUTION #018-2021**

**RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE  
THE SALE OF SAID PROPERTY**

- Whereas,** the Ohio Revised Code Section 505.10 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles, and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code, and
- Whereas,** Miami Township Police Department has items attached as Exhibit A which are no longer needed, broken and /or worn out and beyond useful purpose; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** that in accordance with the Ohio Revised Code, Section 505.10 the Miami Township Board of Trustees declares the attached items list as exhibits as surplus property to be disposed of or sold and removed from the respective department's inventory.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested: \_\_\_\_\_



Aaron F. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #019-2021**

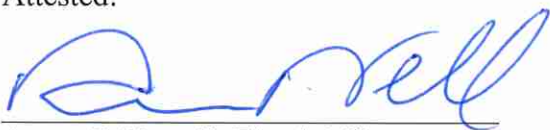
**RESOLUTION TO PURCHASE A 2022 WESTERN STAR DUMP TRUCK  
FOR THE ROAD DEPARTMENT**

- Whereas,** Miami Township qualifies to purchase equipment under the Ohio Department of Transportation Cooperative Purchasing Program (ODOT); and
- Whereas,** the Board of Trustees approved the purchase of a Dump Truck with Snow Plow Package during the 2021 Road & Bridge Fund budget hearings; and
- Whereas,** the truck cab can be purchased under the ODOT Contract #023-21, and the completed vehicle will be financed through a 4-year municipal lease program at an estimated yearly cost of \$50,000.00; and
- Whereas,** the Public Works Director is recommending the purchase of a 2022 Western Star Truck 4700SB for use in the Road Department from the approved ODOT contract vendor, Stoops Western Star of Ohio; and
- Whereas,** the funds used to purchase the Western Star Truck will be secured through Mercedes-Benz Financial Services USA LLC- Daimler Truck Financial, Municipal Lease Program; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** that the agreement hereto between Municipal Lease Program and Miami Township for the purchase of a 2022 Western Star Truck is hereby approved, the Township Administrator is authorized to execute said agreement on behalf of Miami Township, and is further authorized to sign any amendments or extensions thereto that the Administrator deems appropriate.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #020-2021**

**RESOLUTION TO SUPPORT THE CONTINUATION OF A TAX ABATEMENT WITHIN THE ENTERPRISE ZONE FOR BRIXEY & MEYER, INC./EAGLES REAL ESTATE GROUP LLC, 2991 NEWMARK DRIVE**

**Whereas,** Miami Township and Montgomery County have encouraged the development of real property and the acquisition of personal property, located in the area designated as an Enterprise Zone; and

**Whereas,** Brixey & Meyer, Inc./Eagles Real Estate Group LLC constructed a new 12,000 square foot multi-tenant office/warehouse building to create employment opportunities, provided that the appropriate incentives were available to support the economic viability of said project; and

**Whereas,** Miami Township and Montgomery County have the appropriate authority to allow incentives, as provided for in the Ohio Revised Code, as approved by the local school taxing authorities; and

**Whereas,** the Miami Township Tax Incentive Review Council (TIRC) met on March 10, 2021 and determined Brixey & Meyer, Inc./Eagles Real Estate Group LLC has exceeded its promised investment in the community, and the TIRC recommends continuation of the tax abatement; and

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees approves the continuation of the Ohio Enterprise Zone Agreement, approved by Resolution #152-2010, with all the terms and conditions as stated therein with Montgomery County and Brixey & Meyer, Inc./Eagles Real Estate Group LLC.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey, Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #021-2021**

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR  
TO EXECUTE A PROPOSAL FOR SCANNING SERVICES**

**Whereas,** Miami Township desires to digitize certain microfiche documents to enhance remote access of the documents; and

**Whereas,** Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and

**Whereas,** Miami Township has identified a service provider that it is cost competitive and has demonstrated capability to digitally reproduce microfiche documents with the required preservation of the original data; and

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Inception Technologies, Inc. to digitally convert existing microfiche cards held by the Community Development Department at cost not to exceed \$23,500.00.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey, Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #022-2021**

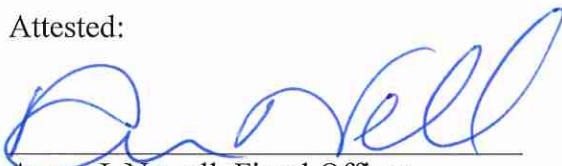
**RESOLUTION TO APPOINT A  
ZONING COMMISSION ALTERNATE MEMBER**

- Whereas,** the Zoning Commission is made up of five regular members and two alternate members; and
- Whereas,** Currently the first of two alternate positions on the Zoning Commission is vacant; and
- Whereas,** Jane Heavin has requested to serve as an alternate member on the Zoning Commission and has provided a letter of interest and resume to the Board for consideration; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two different days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Jane Heavin to serve on the Zoning Commission as the first of two alternate members for a term of one (1) year ending on December 31, 2021, pending completion of a background check.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron J. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #024-2021**

**RESOLUTION TO APPOINT A  
BOARD OF ZONING APPEALS ALTERNATE MEMBER**

- Whereas,** the Board of Zoning Appeals is made up of five regular members and two alternate members; and
- Whereas,** Currently the second of two alternate positions on the Zoning Commission is vacant; and
- Whereas,** William Skudlarek has requested to serve as an alternate member on the Board of Zoning Appeals and has provided a letter of interest and resume to the Board for consideration; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two different days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees appoints William Skudlarek to serve on the Board of Zoning Appeals as the second of two alternate members for a term of one (1) year ending on December 31, 2021, pending completion of a background check.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron J. Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #025-2021**

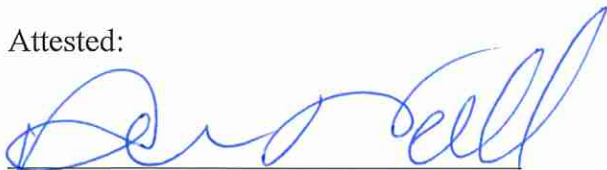
**RESOLUTION TO APPROVE A FINAL DEVELOPMENT PLAN FOR  
AREA H OF THE EXCHANGE AT SPRING VALLEY, UNDER ZONING  
CASE #374-05**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, March 16, 2021; and
- Whereas,** Zoning Case #374-05 filed by Matt Canterbury of Homestead Companies, proposes a final development plan within Area H of the Exchange at Spring Valley, for Homestead Senior Living; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the final development plan under Zoning Case #374-05 and uphold the Zoning Commission recommendation.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron Newell, Fiscal Officer

Passed: March 16, 2021

**RESOLUTION #026-2021**

**RESOLUTION TO EXTEND AN INTERGOVERNMENTAL AGREEMENT  
FOR THE AUSTIN ENHANCEMENTS MAINTENANCE & MANAGEMENT  
SERVICES WITH THE AUSTIN CENTER JEDD**

- Whereas,** Resolution #091-2017 was passed in December 2017 to execute an Intergovernmental Agreement between Miami Township (“Township”) and the Austin Center JEDD (“JEDD”) for providing year round project management services for the Austin Enhancements; and
- Whereas,** the Township and the JEDD mutually desire for the Township to continue providing management services for the Austin Enhancements for a period of up to four (4) additional contract years and ending by March 31, 2025; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be it Resolved,** that the Intergovernmental Agreement hereto between the Township and the JEDD is hereby approved, the Township Administrator is authorized to execute said agreement on behalf of Miami Township, and is further authorized to sign any amendments or extensions thereto that the Administrator deems appropriate.

**Be It Further Resolved,** that signed copies of this resolution and executed Intergovernmental Agreement be provided to the Austin Center JEDD.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: April 6, 2021

**RESOLUTION #028-2021**

**RESOLUTION TO AMEND AN APPROPRIATION OF FUNDS FOR 2021**

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Whereas,** the annual appropriations for 2021 are to provide for expenditures during fiscal year ending December 31, 2021; and

**Whereas,** in February 2021 a Miami Township Police vehicle was struck and damaged while in service and was subsequently deemed a total loss by the insurance carrier; and

**Whereas,** to ensure the prompt delivery of a replacement vehicle, an amended appropriation is necessary; and

**Therefore, Be It Resolved,** the Miami Township Board of Trustees authorizes an amended appropriation, specifically a \$45,500 increase to the Other Appropriation in the Police Department Fund (#209) and a \$45,500 decrease to the Personnel Appropriation in the Police Fund and authorizes the Finance Director to notify the Montgomery County Auditor of the amended appropriation as required.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: April 6, 2021

## RESOLUTION #029-2021

### RESOLUTION REQUESTING REVISION OF THE PRIMA-FACIE SPEED LIMIT ON WASHINGTON CHURCH ROAD (LYONS ROAD TO NORTH TERMINATION POINT), MIAMI TOWNSHIP, IN ACCORDANCE WITH SECTION 4511.21 OF THE OHIO REVISED CODE

**Whereas,** the County Engineer has received requests by local citizens regarding the lowering of the existing speed limit of 45 MPH on the subject road. Following procedures recommended by the Ohio Department of Transportation we have documented: 1) The physical features of the roadway; 2) the existing traffic control devices; 3) the results of speed studies; 4) the traffic accidents which occurred over a three-year period; and

**Whereas,** the County Engineer's Office has analyzed this data and the section of road is more particularly described as follows:

Washington Church Road- T.R. #151, from Lyons Road (0197) to the North Termination Point (0226) – 0.29 miles; and

**Whereas,** it is requested that the Miami Township Trustees authorize a resolution requesting the Director of Transportation of the State of Ohio to review the attached documentation and to determine and declare a reasonable and safe prima-facie speed limit for this section of road; and

**Whereas,** the Miami Township Trustees will send the speed study data as well as a copy of this resolution to the Ohio Department of Transportation, District 7, PO Box 969, Sidney, Ohio 45365, to the attention of Justin Yoh, P.E., Traffic Operations Engineer; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be it Resolved,** by the Miami Township Trustees that the resolution requesting revision of the prima-facie speed limit on Washington Church Road (Lyons Road to North Termination Point), Miami Township, in accordance with Section 4511.21 of the Ohio Revised Code, be and is hereby approved and the Township Administrator is authorized to sign any documents, amendments or extensions thereto that the Administrator deems appropriate.

**SIGNATURE PAGE ONLY FOR RESOLUTION #029-2021**

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: May 4, 2021

**RESOLUTION # 030-2021**

**RESOLUTION TO APPROVE A “THEN AND NOW” PURCHASE ORDER  
FOR THE PURCHASE OF FUEL FOR PUBLIC WORKS**

**Whereas,** the Board of Trustees of Miami Township must, under ORC 5705.41, execute a purchase order for the purchase of goods and/or services before said goods and/or services can be purchased for Miami Township; and

**Whereas,** ORC 5705.41 also allows for a “Then and Now” purchase order to be issued when time or circumstances do not allow for timely process of a normal purchase order; and


**Whereas,** the Public Works Department needs to purchase fuel for vehicles and equipment in the amount of \$5,200.00; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be it Resolved,** that the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and the date of the execution of the order, the amount of \$5,200.00 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Road & Bridge Fund, free of any commitments or encumbrances.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: May 18, 2021

**RESOLUTION # 031-2021**

**RESOLUTION TO TEMPORARILY INCREASE THE AUTHORIZED  
COMPLEMENT OF PLANNING TECHNICIAN/INSPECTORS**

**Whereas,** the Board of Trustees is the authority for creating authorized positions within Miami Township's complement of personnel; and

**Whereas,** there is a need to temporarily increase the complement of personnel authorized to serve in the full-time hourly Planning Technician/Inspector position in the Community Development Department; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Board of Trustees authorizes a temporary increase of one (1) full-time hourly Planning Technician/Inspector position for a total of two (2) authorized Planning Technician/Inspector positions within the Community Development Department, and directs staff to take the necessary actions to fill the position, effective immediately.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: May 18, 2021

**RESOLUTION # 032 -2021**

**RESOLUTION TO APPROVE THEN AND NOW PURCHASE ORDERS**

**Whereas,** the Board of Trustees must under ORC 5705.41 execute a purchase order for the purchase of goods and/or services before said goods and/or services can be purchased; and

**Whereas,** ORC Section 5705.41 allows for “Then and Now” purchase orders to be issued when time or circumstances do not allow for the timely process of a normal purchase order; and

**Whereas,** the implementation of the new accounting software in April 2021 delayed the processing of normal purchase orders; and

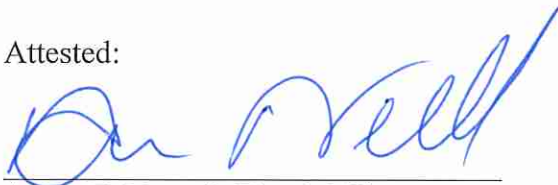
**Whereas,** as a result of the system implementation, the attached list of “Then and Now” purchase orders has been identified by the system; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Fiscal Officer certifies that both at the time of the making of the orders, and the date of the execution of the orders, the amount of **\$17,400** necessary to pay the orders had been appropriated for the purposes of the orders.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: May 18, 2021

**RESOLUTION #033-2021**

**RESOLUTION TO ENTER INTO A CONTRACT  
FOR HEALTH INSURANCE**

**Whereas,** the Board of Trustees has considered the healthcare insurance renewal information provided them for review including the Township’s experience and the current healthcare environment; and

**Whereas,** staff has recommended accepting a proposal from UnitedHealthcare, effective July 1, 2021; and

**Whereas,** the following table shows monthly premium cost by coverage type for the two proposed plan options for the July 1, 2021 through June 30, 2022 plan year:

	Choice Plus HSA BTA8 Rx-C24 (Embedded Plan)	Choice Plus HSA AG5U Rx-C24 (Non-Embedded Plan)
Employee	\$410.51	\$422.78
Employee/ Spouse	\$1,192.47	\$1,228.12
Employee/ Child(ren)	\$672.97	\$693.09
Family	\$1,253.17	\$1,290.63

**Whereas,** non-union employee contribution rates will be 10% of the premium for the plan year;

**Whereas,** union employee contributions rates for premiums are based on union contracts; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved** the Miami Township Board of Trustees accepts the healthcare insurance recommendation; and

**Be It Further Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to contract with UnitedHealthcare to institute the above insurance plans for the July 1, 2021 through June 30, 2022 plan year.

SIGNATURE PAGE FOR RESOLUTION #033-2021 ONLY

	Yes	No	Abstain	Absent
John Morris, Trustee President	X			
Terry W. Posey Jr., Trustee Vice President	X			
Donald Culp, Trustee				X

Attested:



for A. Newell

Aaron F. Newell, Fiscal Officer

Passed: May 24, 2021

## RESOLUTION #034-2021

### RESOLUTION TO AUTHORIZE THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE ROAD DEPARTMENT AND TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO ACCEPT A PROGRAM AWARD

**Whereas,** the Community Development Block Grant (CDBG) Program provides funding for eligible activities including removal of architectural barriers to the handicapped; and

**Whereas,** Miami Township desires to submit an application seeking grant funds from the CDBG Program administered by Montgomery County for the installation of ADA compliant roadway intersection curb ramps located within several Township subdivisions (the "Project"); and

**Whereas,** Miami Township has the authority to apply for and to administer the amounts received from this program, and this project meets at least one of the National Objectives to primarily benefit low and moderate-income persons; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio, that:

**Section 1.** Authorization for Execution and Delivery of the CDBG Application. The Board of Trustees of the Township hereby authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the Township a CDBG Application substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official executing the CDBG Application, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Application.

**Section 2.** Authorization to Accept a Program Award. Miami Township hereby understands and agrees that participation in the CDBG Program will require compliance with program guidelines and assurances and further authorizes the Township Administrator to prepare, file, provide information, and submit documents as necessary to accept and administer

## RESOLUTION #034-2021

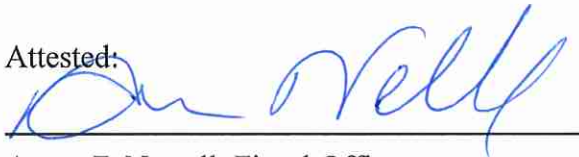
awarded funds to provide for the completion of the Project, including the authorization for the Township Administrator to sign any amendments or extensions thereto that the Administrator deems appropriate; and

**Section 3.** Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4.** Effective Date. This Resolution shall take effect immediately upon its adoption.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: June 1, 2021

**RESOLUTION #035-2021**


**RESOLUTION TO AUTHORIZE THE MIAMI TOWNSHIP ADMINISTRATOR TO ENTER INTO CONTRACT WITH MIAMI VALLEY EDUCATIONAL COMPUTER ASSOCIATION**

- Whereas,** in March of 2021, Miami Township submitted a request for proposal (RFP) for fiber-based internet services to regional technology groups; and
- Whereas,** the request for proposal was to provide fiber-based internet services to both the Lyons Road and Wood Road complexes; and
- Whereas,** Miami Township received three proposals which were reviewed by staff; and
- Whereas,** the proposal from the Miami Valley Educational Computer Association (MVECA) is being recommended due to the lowest overall investment from the township; and
- Whereas,** the contract from the Miami Valley Educational Computer Association has been reviewed by our law director; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees hereby authorizes the Township Administrator to enter into a contract with the Miami Valley Educational Computer Association to provide fiber based internet services to Miami Township.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: June 1, 2021

**RESOLUTION #036 -2021**

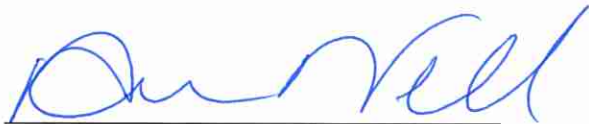
**RESOLUTION TO CREATE THE  
POSITION OF ASSISTANT FINANCE DIRECTOR**

- Whereas,** the Board of Trustees is the authority for creating authorized positions within Miami Township's complement of personnel; and
- Whereas,** the need for an Assistant Finance Director to effectively maintain adequate segregation of duties and department operational continuity; and
- Whereas,** a job description and pay scale for the position has been developed by the Finance Director and reviewed and approved by the Township Administrator; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Board of Trustees creates the position of Assistant Finance Director, effective May 19, 2021, and directs the Township Administrator to take the necessary actions to fill the position.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: June 01, 2021

**RESOLUTION #037-2021**

**RESOLUTION TO ADJUST SALARY STRUCTURE FOR THE ASSISTANT TOWNSHIP ADMINISTRATOR**

- Whereas,** Miami Township is a growing community with a population of 29,131 and has enacted a limited home rule form of government; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and
- Whereas,** in keeping with established pay schedule/salary structure; and
- Whereas,** the pay schedule for the Chief of Police was changed with resolution #54-2017; and
- Whereas,** the pay schedule for the assistant township administrator was not adjusted due to the position not being filled; and
- Whereas,** to align the pay range of the Chief of Police and Assistant Township Administrator being within the same range; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees hereby recommends the salary range for the Assistant Township Administrator should be adjusted to \$100,724 - \$125,125 and further directs the Township Administrator to take the necessary actions to have the Pay Schedule reflect the same, effective May 19, 2021.

	Yea	Nay	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey, Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer  
Passed: June 1, 2021

**RESOLUTION #038 – 2021**

**RESOLUTION TO AUTHORIZE SALARY ADJUSTMENTS FOR  
NON-UNION EMPLOYEES**

**Whereas,** each year the Board of Trustees reviews the Pay Schedule for full-time and part-time, regular, non-union personnel; and

**Whereas,** the Board of Trustees may consider salary adjustments for these employees to ensure employee retention and parity with union personnel; and

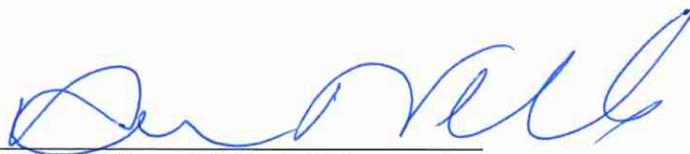
**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Miami Township Board of Trustees approves for all non-union, full-time and part-time employees of the township as of May 24, 2021, 2021, a three percent (3.00%) adjustment, effective with Pay Period #12; and

**Be It Further Resolved,** the Miami Township Board of Trustees directs the Township Administrator and Finance Director to make the respective changes to the Pay Schedule, adjusting respective position ranges to ensure continued parity and labor market wage competitiveness.

	Yes	No	Abstain	Absent
John Morris, Trustee President		✓		
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: June 01, 2021

**RESOLUTION #039-2021**

**RESOLUTION TO APPOINT AN ASSISTANT TOWNSHIP ADMINISTRATOR**

- Whereas,** Miami Township has a need for an Assistant Township Administrator; and
- Whereas,** Christopher E. Snyder has been serving as Community Development Director since 2014 and has been an employee of Miami Township since 2001, and
- Whereas,** Christopher E. Snyder is being recommended to the Board of Trustees to be appointed to the position of Assistant Township Administrator; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Board of Trustees authorizes the following:

1. The appointment of Christopher Snyder to the position of Assistant Township Administrator; and
2. The starting annual salary shall be \$113,500; and
3. The appointed position shall commence on June 1, 2021.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓	✓		
Terry W. Posey Jr., Trustee Vice President	✓	✓		
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: June 1, 2021

## RESOLUTION #040-2021

### RESOLUTION TO AUTHORIZE THE FUNDING OF EMPLOYER HEALTH SAVINGS ACCOUNT (HSA) CONTRIBUTIONS

- Whereas,** the Miami Township Board of Trustees has, for the plan year of July 1, 2021 through June 30, 2022, agreed to fund HSA contributions for eligible employees and elected officials who participate in the Township's high deductible health plan; and
- Whereas,** the Board of Trustees has agreed to fund employees and elected officials a maximum contribution of \$2,000 for the Employee Only Plan Level and \$4,000 for the following Plan Levels: Employee + Spouse, Employee Plus Child(ren), and Employee Plus Family; and
- Whereas,** the Board of Trustees has agreed that any employee (new or current), who joins the insurance within the plan year will receive a prorated front load contribution for the plan they enroll in and that amount will be \$166.67 per remaining month for the Employee Only Plan Level and \$333.33 per remaining month for the following Plan Levels: Employee + Spouse, Employee Plus Child(ren), and Employee plus Family; and
- Whereas,** the Board of Trustees has agreed that if it is known prior to the contribution of funds, that an employee will be leaving employment before the end of the policy year, that employee will receive a prorated portion based on the potential date of termination or retirement, and if the date of termination or retirement changes, the remaining contribution will be prorated accordingly; and
- Whereas,** the HSA Employer Contributions will be deposited with the plan administrator to ensure distribution no later than July 15, 2021 to all eligible employees; and
- Whereas,** the Employer HSA Contribution is not an entitlement of any eligible non-union employee, union employee, or elected official, and is a benefit only for this plan year and the Township reserves the right to change whether or not it funds HSA dollars and how they may be deposited or earned; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.
- Therefore, Be It Resolved** the Miami Township Board of Trustees has considered and supports the funding of HSA contributions as outlined above and directs the Finance Department to proceed as necessary to ensure the HSA contributions are addressed appropriately.

**SIGNATURE PAGE FOR RESOLUTION #040-2021 ONLY**

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: June 01, 2021

**RESOLUTION # 041-2021**

**RESOLUTION TO AMEND AN APPROPRIATION OF FUNDS FOR 2021**

- Whereas,** the Miami Township Police Department has received insurance proceeds from Public Entity Risk Services of Ohio (PERSO) for damages to police vehicles; and
- Whereas,** these receipts were not included in the appropriations for the 2021 budget; and
- Whereas,** the corresponding expenditures related to these losses are not in the 2021 approved appropriations; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved** the Miami Township Board of Trustees authorizes the following:

- Section 1 an increase the anticipated revenues for the Police Fund (#209) by \$37,770; and
- Section 2 an increase the Personnel appropriation for the Police Fund (#209) by \$37,770; and
- Section 4 the Finance Director to inform the Office of the Montgomery County Auditor of the update.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey, Jr., Trustee Vice-President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer  
Passed: June 01, 2021

## RESOLUTION # 042-2021

### RESOLUTION TO ADOPT A PLANNED DEVELOPMENT REGULATION AMENDMENT TO THE AIRPORT PLANNED DEVELOPMENT, UNDER ZONING CASE #434-18, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE DISTRICT

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, June 1, 2021; and
- Whereas,** Zoning Case #434-18 filed by Karen Danko/Moody Nolan, proposes adoption of a planned development regulation amendment for the Airport Planned Development and for lands zoned "PD-5", Planned Mixed-Use District; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees Approves the planned development regulation amendment under Zoning Case #434-18 and upholds the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron Newell, Fiscal Officer

Passed: June 1, 2021

## RESOLUTION #043-2021

### RESOLUTION TO AUTHORIZE THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE COMMUNITY DEVELOPMENT DEPARTMENT AND TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO ACCEPT A PROGRAM AWARD

- Whereas,** the Community Development Block Grant (CDBG) Program provides funding for eligible activities including the rehabilitation of low-income homes to eliminate blight; and
- Whereas,** Miami Township desires to submit an application seeking grant funds from the CDBG Program administered by Montgomery County for the exterior rehabilitation of low-income homes within several Township neighborhoods (the "Project"); and
- Whereas,** Miami Township has the authority to apply for and to administer the amounts received from this program, and this project meets at least one of the National Objectives to primarily benefit low and moderate-income persons; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio, that:

- Section 1.** Authorization for Execution and Delivery of the CDBG Application. The Board of Trustees of the Township hereby authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the Township a CDBG Application substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official executing the CDBG Application, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Application.
- Section 2.** Authorization to Accept a Program Award. Miami Township hereby understands and agrees that participation in the CDBG Program will require compliance with program guidelines and assurances and further authorizes the Township Administrator to prepare, file, provide information, and submit documents as necessary to accept and administer

## RESOLUTION #043-2021

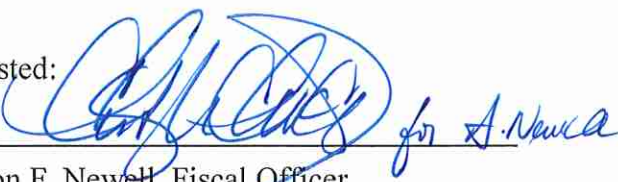
awarded funds to provide for the completion of the Project, including the authorization for the Township Administrator to sign any amendments or extensions thereto that the Administrator deems appropriate; and

**Section 3.** Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4.** Effective Date. This Resolution shall take effect immediately upon its adoption.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: June 15, 2021

**RESOLUTION # 044-2021**

**A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT, AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE CONTRACTS AS REQUIRED**

**Whereas,** the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

**Whereas,** Miami Township is planning to make emergency capital improvements to the Crains Run Road stream bank; and

**Whereas,** the infrastructure improvement here above is considered to be a priority need for the community and is qualified projects under the OPWC programs; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and


**Therefore Be It Resolved,** by the Miami Township Board of Trustees:

**Section 1:** The Public Works Director is hereby authorized to apply to the OPWC for funds, as described above.

**Section 2:** The Township Administrator (Chief Executive Officer) is hereby authorized to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:

  
 Aaron F. Newell, Fiscal Officer

Passed:

**RESOLUTION # 045-2021**

**RESOLUTION TO AMEND AN APPROPRIATION OF FUNDS  
FOR EMERGENCY ROAD REPAIRS**

**Whereas,** a portion of public roadway maintained by Miami Township has been closed due to damage caused by recent rainfall; and

**Whereas,** emergency road repairs are necessary to open the roadway; and

**Whereas,** the Ohio Public Works Commission has approved emergency funding for the repairs with a requirement of 10% in local match funding; and

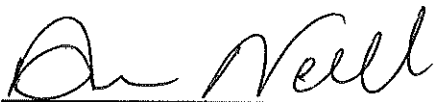
**Whereas,** it is necessary to amend the appropriation of funds for Miami Township; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved** the Miami Township Board of Trustees authorizes and appropriates an additional \$30,000 to the Other (Non-Personnel) appropriation line of the Road and Bridge Fund (#204) and authorizes the Finance Director to update the County Auditor accordingly.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: July 06, 2021

**RESOLUTION # 046-2021**

**RESOLUTION TO ADOPT A TEXT AMENDMENT TO THE MIAMI TOWNSHIP ZONING RESOLUTION**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, July 6, 2021; and
- Whereas,** Zoning Case #446-21, filed by the Miami Township Zoning Commission, proposes amendment to Article 36 of the Miami Township Zoning Resolution; and
- Whereas,** the Zoning Commission has made a recommendation; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the Text Amendment to the Miami Township Zoning Resolution under Zoning Case #446-21 and uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			



Aaron Newell, Fiscal Officer  
Passed: July 6, 2021

**RESOLUTION # 047-2021**

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR AREA 2 OF THE AIRPORT PLANNED DEVELOPMENT UNDER ZONING CASE #434-18, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE DISTRICT**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, July 6, 2021; and

**Whereas,** Zoning Case #434-18 filed by Karen Danko/Moody Nolan, proposes adoption of a final development plan for an addition to the existing Connor Group office building within Area 2 of the Airport Planned Development and for lands zoned "PD-5", Planned Mixed-Use District; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve a final development plan for Area 2 in the Airport Planned Development under Zoning Case #434-18 and uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron Newell, Fiscal Officer

Passed: July 6, 2021

**RESOLUTION #048-2021**

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR  
TO CONTRACT WITH THOMPSON HINE FOR LEGAL SERVICES**

**Whereas,** the Miami Township Board of Trustees has a need for professional services relating to legal advice for Miami Township; and

**Whereas,** Thompson Hine will provide the services that Miami Township Board of Trustees at a cost not to exceed \$4,000; and

**Whereas,** the Miami Township Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to make all the necessary arrangements to retain Thompson Hine to provide legal services to Miami Township and this resolution is effective immediately upon signing.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President			✓	
Donald R. Culp, Trustee	✓			

Attested:



\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: July 13, 2021

**RESOLUTION #049-2021**

**RESOLUTION OF CONCURRENCE WITH THE MIAMISBURG CITY  
MANAGER’S APPOINTMENT TO THE MIAMI CROSSING JOINT  
ECONOMIC DEVELOPMENT DISTRICT (JEDD)**

- Whereas,** the City of Miamisburg and Miami Township entered into a Joint Economic Development District (JEDD) contract on June 11, 2009; and
- Whereas,** the Joint Economic Development District Board is made up of five members; and
- Whereas,** Emily Christian’s first term will expire August 13, 2021; and
- Whereas,** Miami Township is required, by contract, to concur with the appointee by the Miamisburg City Manager; and
- Whereas,** the Miamisburg City Manager appointed Assistant City Manager Emily Christian to the Miami Crossing Joint Economic Development District, effective August 14, 2021, to represent the persons working within the territory of the District; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees concurs with the appointment of Emily Christian to the Miami Crossing Joint Economic Development District.

	Yes	No	Abstain	Absent
John Morris, Trustee President		/		✓
Terry W. Posey Jr., Trustee Vice President	✓	/		
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer  
Passed: July 20, 2021

**RESOLUTION #050-2021**

**RESOLUTION TO AUTHORIZE THE USE OF EXCESS FUNDS FROM  
AN OHIO DEPARTMENT OF TRANSPORTATION STATE  
INFRASTRUCTURE BANK (SIB) LOAN FOR THE CRAINS RUN ROAD  
STREAM BANK RESTORATION PROJECT**

- Whereas,** the Miami Township Board of Trustees passed Resolution #009-2019 to fund the Vienna Parkway Project for the construction of the Vienna Parkway roadway extension via a SIB Project Loan agreement; and
- Whereas,** the Vienna Parkway Project is substantially complete, and the project costs will be less than the SIB Loan amount, leaving a balance of unused funds; and
- Whereas,** the Board of Trustees passed Resolution #044-2021 to authorize the submission of an OPWC grant application for the Crains Run Road Stream Bank Restoration Project, including a required 10.0% percent project funding match for the grant award; and
- Whereas,** the Township Administrator is requesting that the excess funds available from the SIB Loan for the Vienna Parkway Project be used for cost incurred to complete the Crains Run Road Stream Bank Restoration Project; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** that the Board of Trustees approves the use of the excess SIB Loan funds to be applied to the Crains Run Road Stream Bank Restoration Project and authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the Township any and all agreements on behalf of Miami Township related to the Project, and further authorizes the Administrator to sign any amendments or extensions thereto that the Administrator deems appropriate.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			✓
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:

  
Aaron F. Newell, Fiscal Officer

Passed: July 20, 2021

**RESOLUTION #051 -2021**

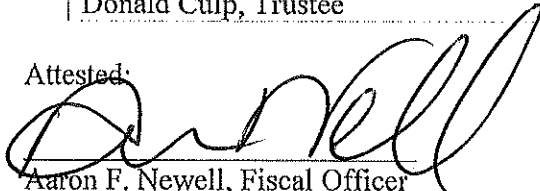
**RESOLUTION TO AUTHORIZE THE EXECUTION OF A PROJECT MANAGEMENT AND FINANCING AGREEMENT FOR THE CRAINS RUN ROAD STREAM BANK RESTORATION PROJECT**

- Whereas,** Crains Run Road was closed to through traffic on June 19, 2021, at the direction of the Montgomery County Engineer's Office, to ensure public safety from a washout of a section of the roadway following a substantial rainfall event; and
- Whereas,** in order to prevent further deterioration of Crains Run Road and in order to restore traffic flow, immediate roadway repairs and stream bank stabilization are required; and
- Whereas,** Miami Township and the Montgomery County Transportation Improvement District ("MCTID") jointly desire to enter into an emergency repair project management and financing agreement for the Crains Run Road project to efficiently complete the emergency repair project in a timely manner; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** that the Board of Trustees hereby authorizes and directs the Township Administrator to execute and deliver for and on behalf of the Township a Project Management and Financing Agreement substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official executing the Agreement, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Agreement, and further authorizes the Administrator to sign any amendments or extensions thereto that the Administrator deems appropriate.

	Yes	No	Abstain	Absent
John Morris, Trustee President				
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee				✓

Attested:



Aaron F. Newell, Fiscal Officer  
 Passed: July 20, 2021

RESOLUTION #052-2021

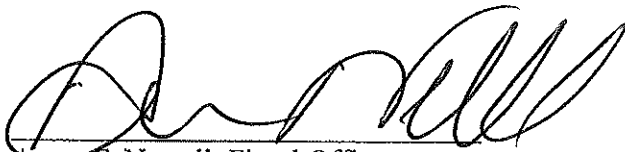
RESOLUTION TO AUTHORIZE THE MIAMI TOWNSHIP ADMINISTRATOR TO ENTER INTO CONTRACT WITH AT&T FRISTNET

- Whereas, AT&T FirstNet is the first nationwide network dedicated to public safety; and
- Whereas, AT&T FirstNet is ready to help law enforcement, fire services, and EMS do their jobs safely and effectively by providing a more reliable and interoperable network; and
- Whereas, AT&T FirstNet provides enhance awareness in emergencies and offers priority and preemption capabilities; and
- Whereas, AT&T FirstNet has competitive pricing; and
- Whereas, The Chief of Police is making a recommendation to switch all public safety devices to AT&T FirstNet; and
- Whereas, the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby authorizes the Township Administrator to enter into a contract with AT&T FirstNet to provide cellular and data services to the police department.

	Yes	No	Abstain	Absent
John Morris, Trustee President				✓
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: July 20, 2021

**RESOLUTION #053-2021**

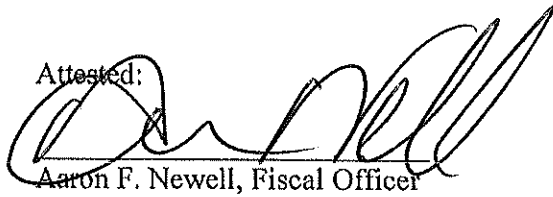
**RESOLUTION TO COMMIT THE TOWNSHIP TO THE MONTGOMERY COUNTY 2022 PAVEMENT MARKING PROGRAM**

- Whereas,** Miami Township requests the Board of County Commissioners (County) approve assistance through the Partnership Pool Program for improving and maintaining Township roadways; and
- Whereas,** various Township roadways are to be included in the County's 2022 pavement marking/ retracing bid; and
- Whereas,** the estimated construction cost of all work is at \$15,000.00; and
- Whereas,** the Township shall reimburse the County within 90 days of receipt of invoice for all of the unpaid costs incurred by the County; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Township Board of Trustees authorizes participation in County contracts, authorizes the Township Administrator to execute any and all agreements, amendments or extensions thereto that the Administrator deems appropriate on behalf of Miami Township, authorizes payment for anticipated work, authorizes the County Engineer and/or his agents to enter upon Township roadways for the purposes herein stated, and upon completion of these purposes agrees to pay the County for the remainder of all actual costs incurred.

	Yes	No	Abstain	Absent
John Morris, Trustee President				✓
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: July, 20, 2021

**RESOLUTION #054-2021**

**RESOLUTION TO APPROVE A TRANSFER OF FUNDS FROM THE  
FIRE DEFERRED BENEFITS FUND (#360) TO THE FIRE FUND  
(#210) FOR THE RETIREMENT PAYOUT OF A FORMER MIAMI  
TOWNSHIP FIRE DEPARTMENT EMPLOYEE**

- Whereas,** the Miami Valley Fire District recently had a former Miami Township Fire Department employee retire; and
- Whereas,** Miami Township has an agreement with the Miami Valley Fire District for the payout of unused sick leave of former Miami Township Fire Department employees who retire from the Miami Valley Fire District; and
- Whereas,** Miami Township has established reserves for said retirements; and
- Whereas,** the retirement was unknown at the time of budget preparations, and
- Whereas,** it is now necessary to transfer funds from the Fire Deferred Benefits Fund (#360) to the Fire Fund (#210); and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approves the transfer of \$46,000 from the Fire Deferred Benefits Fund (#360) to the Fire Fund (#210).

	Yes	No	Abstain	Absent
John Morris, Trustee President				✓
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: July 20, 2021

## RESOLUTION #055-2021

### Resolution To Amend An Appropriation Of Funds For 2021

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Whereas,** the annual appropriations for 2021 are to provide for expenditures during fiscal year ending December 31, 2021; and

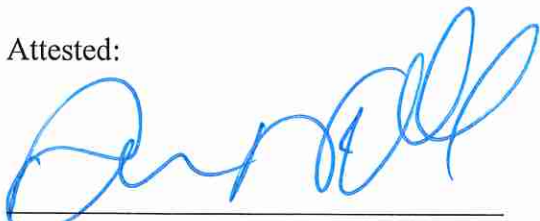
**Whereas,** in July 2021, the police chief was notified funds allocated for OTARMA property and Liability insurance needed to be increased and;

**Whereas,** to ensure the prompt payment of property insurance and Liability insurance for the police department, an amended appropriation is necessary; and

**Therefore, Be It Resolved,** the Miami Township Board of Trustees authorizes an amended appropriation, specifically a \$3,500.00 increase to the Property Insurance in the Police Department Fund (#209-9112-5381) and a \$9,700.00 increase to the Liability Insurance Fund (#209-9112-5382) and authorizes the Finance Director to notify the Montgomery County Auditor of the amended appropriation as required.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: August 4, 2021

**RESOLUTION #056-2021**

**RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF  
ROAD & BRIDGE FUNDS FOR 2021**

**Whereas,** the Public Works- Road Department is responsible for maintaining all township owned vehicles and equipment; and

**Whereas,** it has been determined that the purchase of additional repair parts and the purchase of stock parts is needed to ensure that township vehicles and equipment are sufficiently maintained for the remainder of the year; and

**Whereas,** there is an unexpected increase in the cost of property insurance for township owned equipment and structures; and

**Whereas,** there has been a review of the Road & Bridge Fund and it is determined that sufficient reserves are available for the purchase of parts and property insurance; and

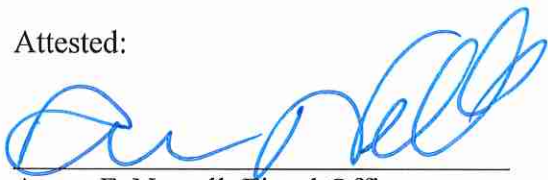
**Whereas,** it is necessary to amend the appropriation of funds from the Road & Bridge Fund; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved,** the Board of Trustees of Miami Township, Montgomery County, Ohio, do hereby appropriate an additional \$40,000 from the Road & Bridge Fund for the purchase of parts to repair township owned vehicles and for the increased cost of property insurance.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: August 4, 2021

## RESOLUTION #057-2021

### RESOLUTION TO AUTHORIZE THE PURCHASE OF EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY COVERAGE IN LIEU OF SURETY BONDS

**Whereas,** the Board of Trustees of Miami Township, Montgomery County desires to maintain effective and efficient risk management practices; and

**Whereas,** Miami Township, Montgomery County is a member of the Ohio Township Association Risk Management Authority (OTARMA), a political subdivision risk pool established pursuant to Ohio Revised Code Section 2744.081; and

**Whereas,** in accordance with Ohio Revised Code Section 3.061, the township must adopt a policy by resolution to allow the use of “employee dishonesty and faithful performance of duty” coverage, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; and

**Whereas,** the Board of Trustees of Miami Township desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio hereby authorizes the purchase and use of “employee dishonesty and faithful performance of duty” coverage through OTARMA instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties with the following policy/coverage requirements:

- Section 1. An officer, employee, or appointee shall be considered qualified to hold the office or employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law.
- Section 2. An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual’s term of office or employment and the officer, employee or appointee shall not commence the discharge of duties until coverage is documented.
- Section 3. All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.

Section 4. The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: August 4, 2021

**RESOLUTION # 059-2021**

**RESOLUTION TO ADOPT A TEXT AMENDMENT TO THE MIAMI  
TOWNSHIP ZONING RESOLUTION**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, August 4, 2021; and

**Whereas,** Zoning Case #447-21, filed by the Miami Township Zoning Commission, proposes amendment to Article 45-A of the Miami Township Zoning Resolution; and

**Whereas,** the Zoning Commission has made a recommendation; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the Text Amendment to the Miami Township Zoning Resolution under Zoning Case #447-21 and uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: August 4, 2021

**RESOLUTION 060-2021**

**AN EMERGENCY RESOLUTION TO ADOPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT**

**AN EMERGENCY RESOLUTION** adopting the One Ohio Memorandum of Understanding and authorizing the Township Administrator to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement.

**Whereas,** Miami Township, Montgomery County, Ohio (herein “Township”) is a Township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

**Whereas,** the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

**Whereas,** the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

**Whereas,** the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance, and malfeasance throughout the State of Ohio; and

**Whereas,** the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted a One Ohio Memorandum of

Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

**Whereas,** the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

**Whereas,** the Board of Trustees of Miami Township understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

**Whereas,** nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

**Whereas,** a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the One Ohio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

**Whereas,** the Board of Trustees wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Miami Township, Montgomery County, Ohio, herein referred to as “the Board” that:

Section 1. That the Board hereby (1) adopts the One Ohio Memorandum of Understanding, a copy of which is attached as Exhibit A, (2) authorizes the Proposed Settlement on

behalf of Miami Township, Montgomery County, Ohio, pursuant to the terms of the MOU, and (3) authorizes the Township Administrator to execute the Participation Agreement, a copy of which is attached as Exhibit B, on behalf of Miami Township, Montgomery County, Ohio.

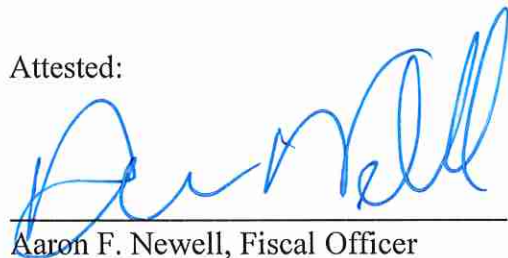
Section 2. That it is found and determined that all formal actions of the Board relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of Miami Township. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Section 4. The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>			
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>			
Donald Culp, Trustee	<input checked="" type="checkbox"/>			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: August 4, 2021

**RESOLUTION #061-2021**

**RESOLUTION TO REAPPOINT A MIAMI TOWNSHIP-DAYTON JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

**Whereas,** the Miami Township Board of Trustees approved a Miami Township-Dayton Joint Economic Development District (JEDD) with Resolution #135-2005; and

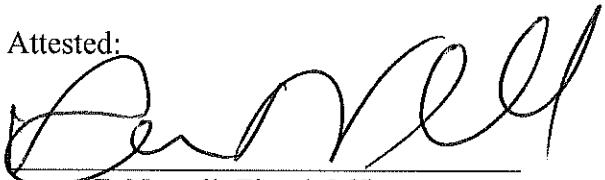
**Whereas,** under the approved contract, the Miami Township Board of Trustees is responsible for appointing members to the Miami Township-Dayton Joint Economic Development District; and

**Whereas,** Clay McCord was appointed, with Resolution #075-2017, on November 14, 2017, to represent persons working within the district on the JEDD Board pursuant to ORC Section 715.78 (A)(1)(d); and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees reappoints Clay McCord to represent persons working within the district on the Miami Township-Dayton JEDD Board for a second term, as required by contract, effective September 8, 2021.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:  
  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: August 17, 2021

**RESOLUTION #062-2021**

**RESOLUTION TO AUTHORIZE THE COSTS AND EXPENSES OF A  
LIGHTING DISTRICT TO BE ASSESSED AS PROVIDED FOR UNDER  
THE OHIO REVISED CODE CHAPTER 515**

**Whereas,** The **Austin Landing Lighting District** consists of the following parcels:

K45 02606 0091  
K45 02605 0065  
K45 02605 0084  
K45 02605 0090  
K45 02605 0091  
K45 02605 0093  
K45 02605 0094  
K45 50715 0094  
K45 02605 0097  
K45 02605 0101  
K45 02605 0103  
K45 02605 0108  
K45 02605 0109  
K45 02605 0110  
K45 02605 0111  
K45 02605 0116  
K45 02605T0120  
K45 02605 0122  
K45 02605 0125  
K45 02605 0126  
K45 02605 0127  
K45 02605T0128  
K45 02605 0129  
K45 02605 0130  
K45 02605 0131  
K45 02605 0132  
K45 02605 0133  
K45 02605 0134  
K45 02605 0135  
K45 02605 0136  
K45 02605 0137  
K45 02605 0138  
K45 02605 0140  
K45 02605 0141  
K45 02605 0142  
K45 02605 0144  
K45 02605 0145  
K45 02605 0146

**Whereas,** Light Source AL, Ltd., is under contract to provide, infrastructure, power and maintenance for the Austin Landing Lighting District; and

**Whereas,** the Austin Landing Lighting District has added lights to the existing contract per the agreement; and

**Whereas,** the Austin Landing Lighting District has been contracted; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio:

“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied and specially assessed on benefit basis, against the following lots and each of them in said contract, the amount as noted per parcel below:

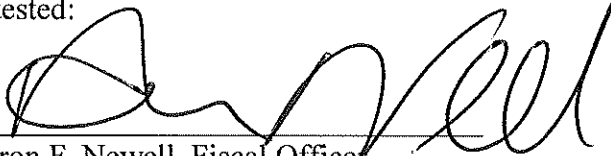
K45 02606 0091	255.10
K45 02605 0065	33,777.27
K45 02605 0084	2,375.54
K45 02605 0090	10,900.61
K45 02605 0091	17,273.21
K45 02605 0093	6,794.68
K45 02605 0094	8,585.06
K45 50715 0094	16,478.60
K45 02605 0097	12,858.95
K45 02605 0101	24,426.02
K45 02605 0103	32,558.95
K45 02605 0108	19,224.98
K45 02605 0109	7,980.01
K45 02605 0110	1,636.87
K45 02605 0111	1,301.59
K45 02605 0116	13,570.85
K45 02605 0122	1,552.26
K45 02605 0125	7,400.03
K45 02605 0126	6,190.87
K45 02605 0127	4,781.18
K45 02605 0129	4,810.94
K45 02605 0130	9,683.93
K45 02605 0131	1,333.87

K45 02605 0132	1,072.54
K45 02605 0133	2,534.25
K45 02605 0134	3,011.46
K45 02605 0135	1,616.50
K45 02605 0136	2,583.77
K45 02605 0137	827.52
K45 02605 0138	807.46
K45 02605 0140	1,241.44
K45 02605 0141	2,456.23
K45 02605 0142	3,522.52
K45 02605 0144	4,073.35
K45 02605 0145	3,203.85
K45 02605 0146	16,699.81

subject to the contracted agreement.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer  
 Passed: August 17, 2021

**RESOLUTION #063-2021**

**RESOLUTION TO APPOINT DESIGNEES TO ATTEND PUBLIC RECORDS TRAINING ON BEHALF OF THE BOARD OF TRUSTEES AND THE FISCAL OFFICER**

**Whereas,** Ohio Revised Code §109.43 and 149.43 require that officials elected to local office, or their designees, receive training to enhance the officials' understanding of public records and open meetings laws; and

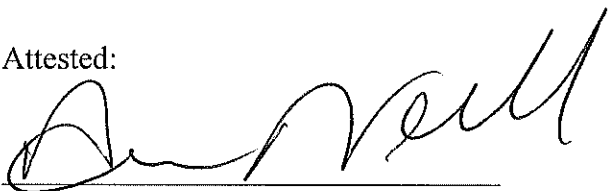
**Whereas,** the training must meet the requirements established by the Ohio Attorney General and Ohio Revised Code §109.43 including a minimum of three hours for each term of office for which the elected official was appointed or elected to the public office involved; and

**Whereas,** Trustees Morris, Culp, and Posey, Jr., and Fiscal Officer Newell desire to appoint designees; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved** the Miami Township Board of Trustees appoints Erica Priest and Christine Bellinger to attend public records training as designees for the Trustees and Julie Hunn to attend public records training for the Fiscal Officer for 2021, effective immediately.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:  
  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: September 7, 2021

**RESOLUTION # 064-2021**

**RESOLUTION TO AUTHORIZE AN AGREEMENT FOR THE ASSESSMENT OF THE INFORMATION TECHNOLOGY AND CYBER SECURITY CAPABILITIES**

- Whereas,** the township relies on independent third parties to maintain and manage its information technology; and
- Whereas,** cyber security and response plans are critical to the maintaining an adequate information network; and
- Whereas,** a recent risk assessment recommends an independent review of our cyber security and respond plans; and
- Whereas,** the township lacks the subject matter expertise to adequately self-assess; and
- Whereas,** Secure Cyber Security comes highly recommended to perform these tasks; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to contract with Secure Cyber Defense for an assessment of the information technology and cyber security capabilities of Miami Township.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

## RESOLUTION #065- 2021

### RESOLUTION TO APPROVE AMENDMENTS TO THE APPROPRIATION OF FUNDS FOR 2021

**Whereas,** the annual appropriations for 2021 are to provide for expenditures during the fiscal year ending December 31, 2021; and

**Whereas,** the Police Chief has indicated that certain federal task force settlements have been delayed and have not been received as originally anticipated presumably as a result of the on-going COVID-19 pandemic response efforts; and

**Whereas,** the amount of legal expenses has been higher than originally anticipated; and

**Whereas,** it is necessary to amend the appropriation of funds for the Special Police Revenue Fund (Fund #227), the Police Fund (Fund #209) and the General Fund (Fund #101); and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Miami Township Board of Trustees approves an additional \$45,000 to the Other (non-Personnel) Expenses appropriation for the Special Police Revenue Fund (Fund #227); and

**Be It Further Resolved,** the Miami Township Board of Trustees approves an additional \$225,000 to the Other (non-Personnel) Expenses appropriation for the Police Levy Fund (Fund #209); and

**Be It Further Resolved,** the Miami Township Board of Trustees approves a reduction of the Personnel Expense appropriation for Police Levy Fund (Fund #209) by \$225,000; and

**Be It Further Resolved,** the Miami Township Board of Trustees approves an additional \$15,000 to the Other (non-Personnel) Expenses appropriation for the General Fund (Fund #101); and

**Be It Further Resolved,** the Miami Township Board of Trustees authorizes the Finance Director to communicate the amended appropriations to the Montgomery County Auditor.

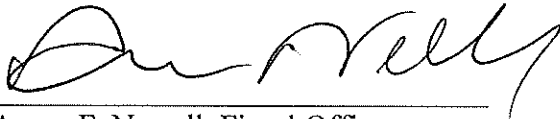
**RESOLUTION # 065- 2021**

**RESOLUTION TO APPROVE AMENDMENTS TO THE  
APPROPRIATION OF FUNDS FOR 2021**

SIGNATURE PAGE ONLY

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

**RESOLUTION # 066-2021**

**RESOLUTION TO ADOPT A PLANNED DEVELOPMENT  
REGULATION AMENDMENT TO THE WELLINGTON PLANNED  
DEVELOPMENT, UNDER ZONING CASE #319-99, FOR LANDS  
ZONED "PD-2", PLANNED OFFICE DISTRICT**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, August 10, 2021; and

**Whereas,** Zoning Case #319-99 filed by Greg L Lauterbach on behalf of Don and Marcia Overstreet proposes adoption of a planned development regulation amendment for the Wellington Planned Development and for lands zoned "PD-2", Planned Office District; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the planned development regulation amendment under Zoning Case #319-99 and upholds the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

**RESOLUTION # 067-2021**

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR  
AREA 1 OF THE AIRPORT PLANNED DEVELOPMENT UNDER  
ZONING CASE #434-18, FOR LANDS ZONED "PD-5", PLANNED  
MIXED-USE DISTRICT**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, September 7, 2021; and

**Whereas,** Zoning Case #434-18 filed by Karen Danko/Moody Nolan, proposes adoption of a final development plan for an addition to the existing Connor Group hangar within Area 1 of the Airport Planned Development and for lands zoned "PD-5", Planned Mixed-Use District; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees upholds a final development plan for Area 1 in the Airport Planned Development under Zoning Case #434-18 and Amends the Zoning Commission recommendation.

*↓ lighting needs to be up to Township code*

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

**RESOLUTION # 068-2021**

**RESOLUTION TO ADOPT A TEXT AMENDMENT TO THE MIAMI TOWNSHIP ZONING RESOLUTION**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, September 7, 2021; and

**Whereas,** Zoning Case #448-21, filed by the Miami Township Zoning Commission, proposes amendment to Article 2 and Article 23 of the Miami Township Zoning Resolution; and

**Whereas,** the Zoning Commission has made a recommendation; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees upholds the Text Amendment to the Miami Township Zoning Resolution under Zoning Case #448-21 and approves the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

## RESOLUTION #069-2021

### A RESOLUTION AUTHORIZING THE CREATION OF A DESIGNATED OUTDOOR REFRESHMENT AREA AT AUSTIN LANDING

- Whereas,** a township with a population of more than fifty thousand, is permitted to create up to four outdoor refreshment areas; and
- Whereas,** ORC §4301.62(C)(7) permits a person to have in the person's possession an opened container of beer or liquor at an outdoor location within a DORA created under ORC §4301.82; and
- Whereas,** on August 4, 2021, the Fiscal Officer of the Township submitted an application (the "DORA Application") to the Township Board of Trustees for approval of a DORA in a specified area within the Township known as Austin Landing; and
- Whereas,** pursuant to ORC §4301.82(C), notice of the filing of the DORA Application and the date of the public hearing thereon was published in a newspaper of general circulation in the Township on August 5, 2021, and August 12, 2021; and
- Whereas,** the public hearing on the DORA Application was held on September 7, 2021 during which public testimony was held; and
- Whereas,** ORC §4301.82(F)(1) requires the Township to establish requirements that the Township determines necessary to ensure public health and safety in the area, and ORC §4301.82(F)(2) provides for notice of this proposed action to be published in one newspaper of general circulation, such notice having been published on August 5, 2021 and August 12, 2021; and
- Whereas,** the DORA Application as submitted, meets the requirements of ORC §4301.82(B)(1 through 5), it being further clarified that the boundary of the DORA includes the premises of the permit holders located at the street addresses listed on **Exhibit B**; and
- Whereas,** approval of the DORA will enhance the experiences of customers and patrons within the Austin Landing development and generate new private investment opportunities for economic development within the Township; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the following:

Section 1. Approval of the DORA Application. The Board of Trustees hereby approves the DORA Application as having met the requirements of §4301.82(B)(1 through 5) and approves the establishment of a Austin Landing Outdoor Refreshment Area comprised of the areas as depicted on **Exhibit B**, attached herein, as is required to be included in this resolution pursuant to ORC §4301.82(F)(1)(a) .

Section 2. Compliance with Open Meeting Requirements & Public Notice Requirements. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of 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. The Board further determines that all public notice requirements of ORC §4301.82 prior to the passage of this Resolution have been met.

Section 3. Signage. In accordance with §4301.82(F)(1)(b), the number, spacing, and type of signage designating the DORA boundary shall be set forth as described on **Exhibit C through E**, attached hereto and made a part hereof.

Section 4. Required Permit Holders & Hours of Operation. This Board of Trustees finds that the DORA includes not fewer than four qualified permit holders, all of which are identified on **Exhibit L**, attached hereto and made a part hereof, by business name, address, liquor permit type, and liquor permit number. Also included in **Exhibit F** as required by ORC §4301.82(F)(1)(c) are the hours of operation for the DORA, which will apply to all activity within the DORA, may be expanded or limited only by approval of special event permitting.

Section 5. Public Health & Safety Plan. A Public Health & Safety Plan as described in **Exhibit A through K**, attached hereto and made a part hereof, is hereby approved as meeting the requirement of ORC §4301.82(F)(1)(d), including how the number of personnel needed to carry out the plan shall be determined. The Board further authorizes, pursuant to ORC §505.032, the Township Administrator to make such modifications to the Public Health & Safety Plan as are necessary from time to time to accommodate necessary sign modifications, modifications to the Sanitation Plan, and other such modifications to the Safety Plan in consultation with the Miami Township Police Department as both determine are necessary for the continued operation of the DORA.

Section 6. Sanitation Plan. A Sanitation Plan that will help maintain the appearance and public health of the area as described in **Exhibit G through H**, attached hereto and made a part hereof, is hereby approved as meeting the requirement of §4301.82(F)(1)(e-

f), including how the number of personnel needed to carry out the plan shall be determined.

Section 7. Approved Containers. In accordance with §4301.82(F)(1)(g), beer and liquor shall only be served in plastic bottles or other plastic containers with the required DORA designation.

Section 8. 5-Year Review. This Township Board of Trustees shall review the requirements of the DORA, as established herein, within five years from the effective date of this Resolution to determine whether to continue the DORA under the same or modified terms and conditions or dissolve it according to statutory provisions.

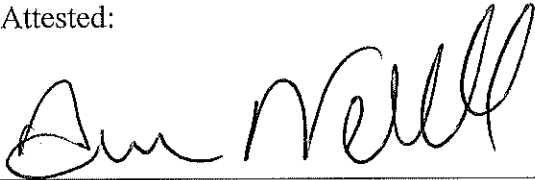
Section 9. Copies to State of Ohio. The Township Administrator is hereby instructed to forward a copy of this Ordinance to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, as required by ORC §4301.82(F)(3).

Section 10. Effective Date. This Resolution shall be in full force and effect immediately upon its passage. Each section of this resolution and each subdivision or paragraph of any section hereof and each sentence of a paragraph hereof is hereby declared to be independent and the finding or holding of any section or any subdivision, paragraph or sentence hereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision, paragraph or sentence of this resolution.

**SIGNATURE PAGE ONLY FOR RESOLUTION #069-2021**

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron Newell, Fiscal Officer  
Passed: September 7, 2021

## EXHIBIT A PUBLIC HEALTH AND SAFETY PLAN

In accordance with Ohio Rev. Code §4301.82(F)(1) and §4301.82(F)(1)(a-g), the requirements for ensuring public safety and maintaining the appearance and public health of the area within the DORA are outlined below and encompass the requirements of this **Exhibit A, through Exhibit K**.

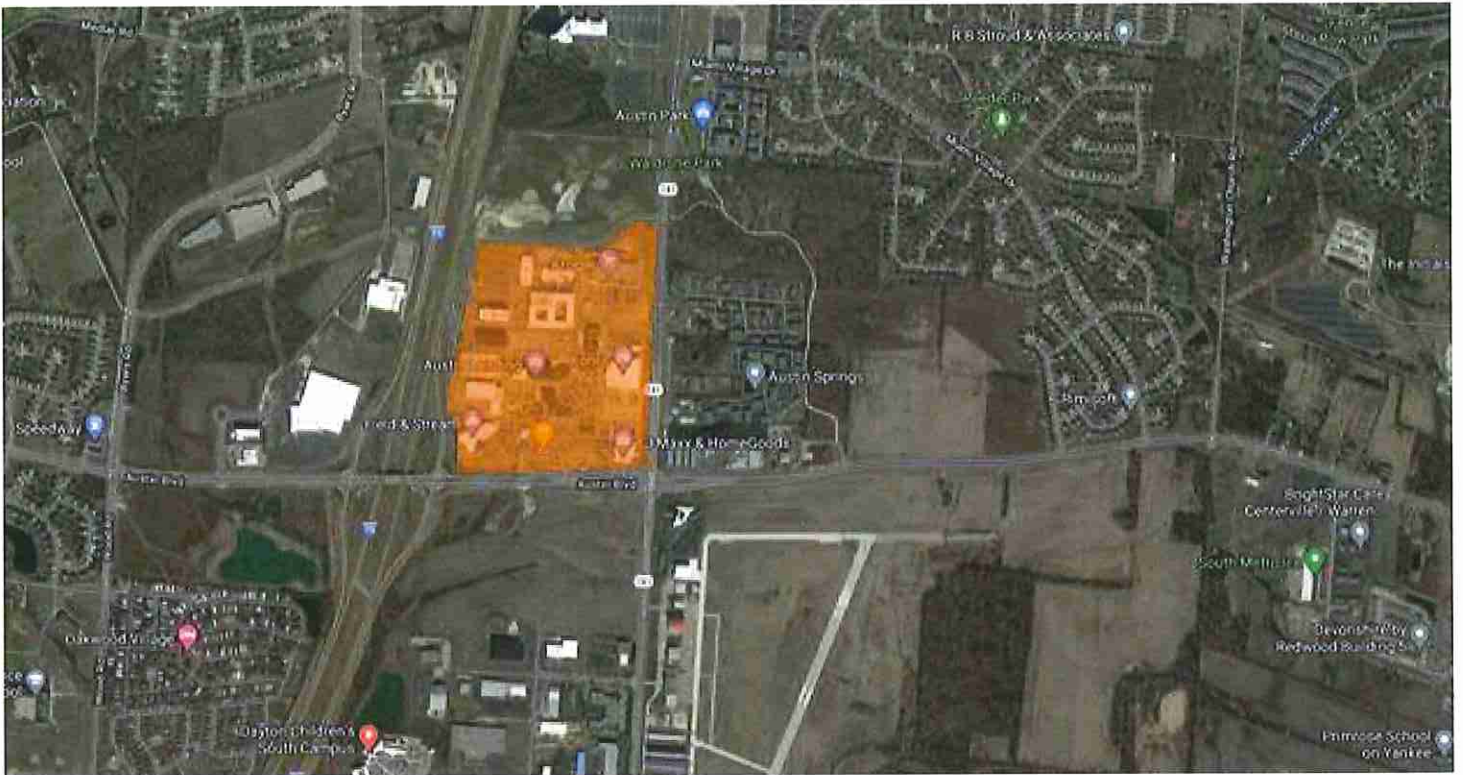
The Safety Plan will help maintain public safety within the DORA at Austin Landing. Working alongside the Miami Township Police Department (“MTPD”), Austin Landing has a strong relationship with local law enforcement that will guarantee a high level of safety at all times.

- The Miami Township Police Department (“MTPD”) has multiple resources to maintain public safety within the DORA. MTPD has flexibility when deploying resources and has experience in dealing with large crowds at Austin Landing.
- Given the potential for increased pedestrian traffic within the DORA during the times it is in effect and special events, directed staffing shall be applied by the MTPD to ensure public safety. This will consist of a minimum of one police officer who will patrol the DORA district as a part of his/her assigned patrol responsibility. Austin Landing shall work with MTPD and Miami Township for required street closures during scheduled charity events when there is anticipated attendance of over 1,000 people.
- Austin Landing shall ensure during road closure events there are dedicated routes for public service and emergency vehicles and that emergency access will flow smoothly.
- The on-duty MTPD supervisor can ensure that appropriate measures are taken for adequate staffing and supervision of activities occurring during DORA operational hours, based upon attendance and nature of events.
- The Chief of Police may assign additional officers to events occurring within the DORA along with private security hired by Austin Landing Community Authority. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary, to ensure adequate health and public safety requirements. To help supplement the regularly scheduled MTPD officer(s) at peak times, extra dedicated officers may be assigned to the DORA or may be contracted for service through Miami Township and special duty cost shall be paid by the Austin Landing Community Authority.
- Beginning with the commencement of the DORA and continuing for a period of twelve (12) months, the Chief of Police, members of Miami Township’s staff and Austin Landing Owner’s will review the Safety Plan herein to determine whether updates, modifications, or supplementation may be advisable or required. The Chief of Police may invite Miami Township Trustees or DORA stakeholders to the meetings to determine if the Safety Plan should be changed. In the event it is determined that the safety plan should be changed, such changes shall be presented to the Miami Township Trustees for consideration and implementation. The Chief of Police has determined that the Safety Plan described herein

is sufficient to maintain public safety within the DORA. This Safety Plan can be executed with the existing personnel of Miami Township.

## EXHIBIT B DORA BOUNDARY

In accordance with the ORC §4301.82(B)(1)(a) and F(1)(a), the boundaries of the DORA are shown below, including the premises of the permit holders located at the street addresses as indicated in the table below, and said boundary encompasses approximately 96 acres.



List of all addresses within DORA boundaries listed here:

Street Name	Range	Even/Odd	Zip Code
Innovation Drive	10000 - 10800	All Addresses	45342
Landing Way	10048 – 10110	All Addresses	45342
Penny Lane	10251 – 10267	All Addresses	45342
Rigby Road	3400 – 3850	All Addresses	45342

**EXHIBIT C  
SIGNAGE**

In accordance with the ORC §4301.82F(1)(b), Austin Landing shall provide approximately 19 signs designating the boundaries of the DORA. The location and spacing of the signs are shown on the attached **Exhibit D**. The signs shall be mounted and located at street intersections, parking lot and garage entrances and exits in close proximity to qualified permit holders, and along the boundary of the DORA in accordance with all applicable zoning regulations. Austin Landing shall provide additional signage within the DORA boundaries as shown on **Exhibit E**. These signs will include further explanation of DORA rules including but not limited to: DORA hours of operation, acceptable DORA containers for consumption, no outside beverage consumption, etc.

The content and style of this artwork shall, in sum or substance, consist of the following:

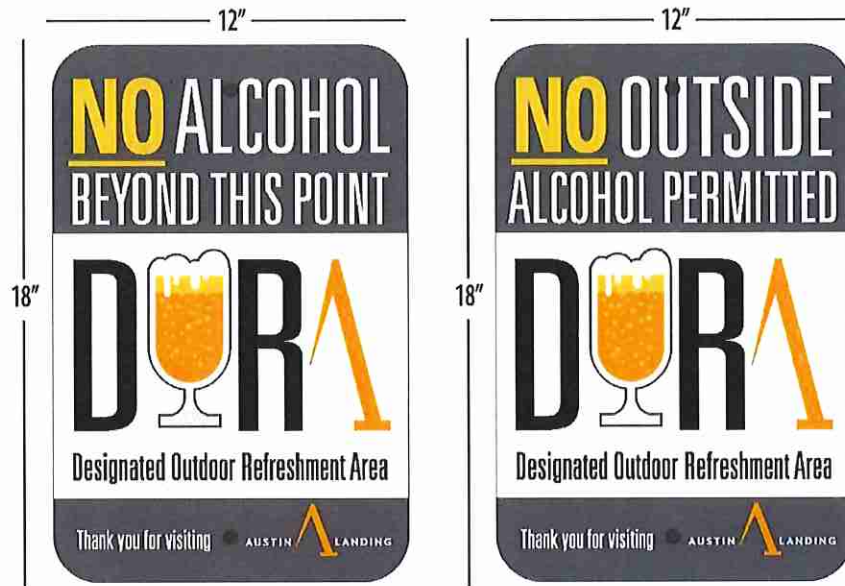




EXHIBIT E  
PROPOSED RULES & REGULATIONS SIGNS

# DORA ~

## Designated Outdoor Refreshment Area

- The DORA is in operation from 4pm until 11pm. Sunday through Saturday.
- DORA beverages can only be purchased from participating establishments
- Beverages from one DORA establishment cannot be taken into another DORA establishment or special event area which serves alcohol.
- DORA beverages are not permitted at all retailers and restaurants, please check each individual location before entering.
- One beverage is permitted per cup per use. No cans, glass bottles, or outside beverages are permitted.
- You must stay within the DORA boundaries with your beverage.
- Beverages are not permitted in vehicles.

Please drink responsibly



Designated Outdoor Refreshment Area



**EXHIBIT F**  
**HOURS OF OPERATION**

The hours of operation for the DORA shall be daily; Sunday through Saturday 4:00 pm to 11:00 pm. The Township Administrator may modify the hours of operation on a temporary basis for special events in consultation with the Miami Township Police Department. The hours of operation shall not be extended past 11:00 pm, but may be permitted to start earlier to accommodate a specific event.

## EXHIBIT G SANITATION PLAN

Austin Landing shall utilize existing personnel and policies to help maintain the appearance and public health of the area within the DORA. Working in agreement with Austin Landing Property Management and Joe's Landscaping, all trash removal and general upkeep of the property within the DORA shall be handled to ensure appropriate attention is provided to the DORA during its hours of operation. In the event a larger than normal number of people are in the DORA, the on-duty supervisor shall assign additional staff to specifically monitor the DORA for cleanliness.

Austin Landing currently offers 95 trash cans throughout the DORA and surrounding areas, shown on attached **Exhibit H**. Restroom facilities needed outside of Center hours within DORA hours of operation will be the responsibility of the qualified permit holders. Additional restrooms may be outsourced during events with a larger than normal number of people within the DORA.



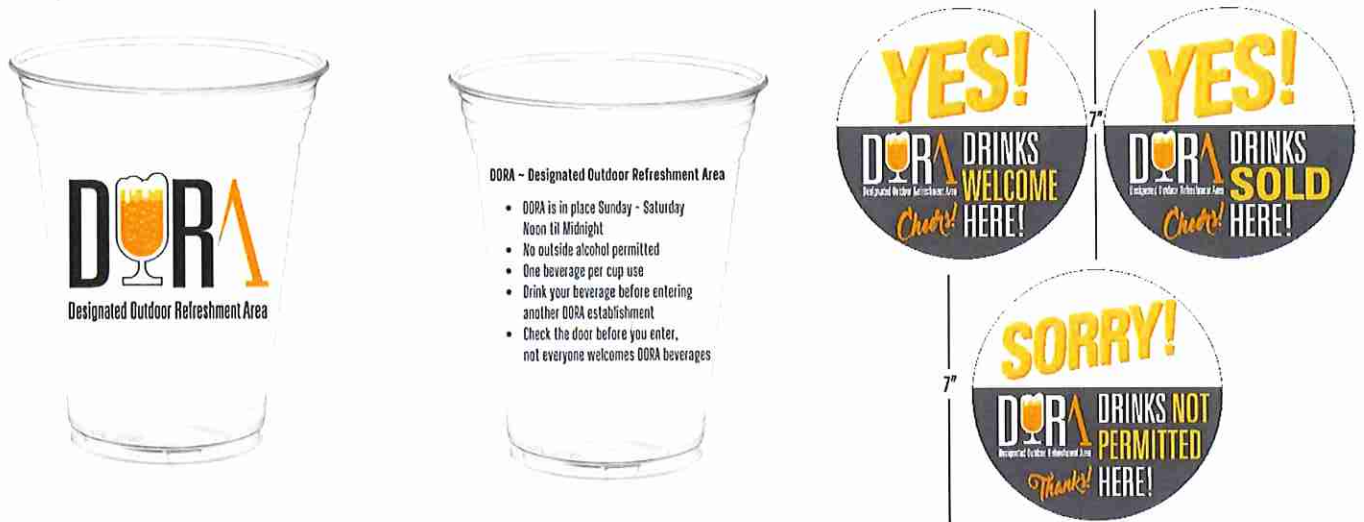
## EXHIBIT I REQUIRED DORA CONTAINERS

Beer, wine, and intoxicating liquor shall only be consumed within the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in the specifically designated plastic containers produced and provided by qualified liquor holders. Qualified permit holders are required to provide plastic containers containing the official Austin Landing DORA logo and rules to participate in DORA sales. This will help to distinctly mark permissible containers. No unmarked containers shall be permitted. Used cups must be disposed of before entering any establishment of a qualified permit holder. Permit holders shall be required to source and provide their own cups. Failure to provide cups or inventory issues will result in postponing participation in DORA service.

Non-permit holders shall determine if they allow DORA beverages within their space. These retailers shall be labeled with a decal containing the official Austin Landing DORA logo marking whether DORA beverages are permitted inside.

The content and style of this logo shall, in sum or substance, consist of the following:



**EXHIBIT J**  
**ADDITIONAL RULES AND REQUIREMENTS**

In conjunction with other rules, standards and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the DORA are as follows:

- A. A person may have in the person's possession an open container of beer, wine or intoxicating liquor at an outdoor location within the DORA if the open container of beer, wine or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:
  - a. The permit holder's premises are located within the DORA; and
  - b. The permit held by the permit holder has an outdoor refreshment area designation.
  
- B. No person shall do any of the following:
  - a. Enter the premises of an establishment of a qualified permit holder within the DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere, or
  - b. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the DORA, unless the possession otherwise is authorized under division (D) or (E) of ORC §4301.62.

**EXHIBIT K**  
**NOTIFICATION AND APPROVAL OF MODIFICATIONS**

In accordance with the ORC §4301.82(F)(1), the Miami Township Board of Trustees may modify the public health and safety requirements as determined necessary by the Board of Trustees. Austin Landing shall notify Miami Township of any necessary changes to the Public Health and Safety Plan, upon which Miami Township shall review and respond to Austin Landing in a timely manner on the steps to be taken to enact any approved modifications. The Miami Township Board of Trustees reserves the rights to delegate as permitted by law such authority to make modifications to the Township Administrator such elements of the Public Health and Safety Plan as the Board of Trustees deems desirable.

Austin Landing shall be responsible for providing updates to the Miami Township Board of Trustees on the following:

- need for any changes to the Safety and Sanitation plans
- new, qualified permit holders in the DORA
- additional signage needs due to new construction on the property.

All parties will work together to ensure public health and safety is the top priority. The Austin Landing team shall work proactively alongside local law enforcement to create a safe, welcoming environment for visitors, residents, guests, and workers spending time in the Austin Landing DORA.

**EXHIBIT L**  
**QUALIFIED PERMIT HOLDERS**

In accordance with ORC §4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders as defined by ORC §4301.82(A), which are identified as follows:

Permit Holder (DBA)	Address	Classes	Permit Number
Another Broken Egg	3450 Rigby Road	D6; D5J	0023980
Anthony Vince	3420 Rigby Road	D6	5070035
BJ's Brewhouse	10563 Innovation Dr	D6; D5J	07275200015
Buffalo Wild Wings	10048 Landing Way	D6	07527840231
Chipotle	10671 Innovation Dr	D6	14374150970
Chuy's	10445 Innovation Dr	D6	14714460010
Cinepolis	10251 Penny Lane	D6; D5J	6516294
Dewey's Pizza	3600 Rigby Road	D6; D5J	00661240115
Ele Cake & Bistro	3680 Rigby Road	D6; D5J	00005660005
Firebird's Woodfired Grill	3500 Rigby Road	D6	2485430
Hilton Garden Inn	12000 Innovation Dr	D6	2847785
Kroger	10101 Landing Way	D6	48888880722
Mike's Nashville Hot	10655 Innovation Dr	D5J	5401985
Staybridge Suites	10110 Landing Way	D6	8681370

*SOURCE: Ohio Department of Commerce, Division of Liquor Control*

**RESOLUTION #070-2021**

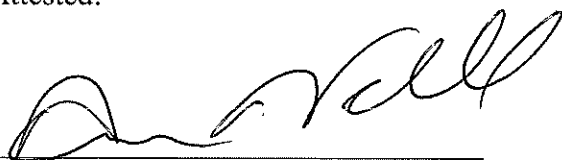
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN ELECTRICITY GENERATION AGREEMENT FOR TOWNSHIP FACILITIES**

- Whereas,** Miami Township has contracted with IGS Energy, Inc. for electricity generation to township facilities through June of 2023; and
- Whereas,** IGS Energy, Inc. has submitted for consideration a proposal containing a lower kilowatt hour rate through November of 2026; and
- Whereas,** Staff has reviewed the proposed rate and believes the Township will receive an immediate and long-term savings for electricity generation expense; and
- Whereas,** the Miami Township Board of Trustees wishes to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to enter an agreement with IGS Energy, Inc. for facilities electricity generation in the amount of \$0.0495 per kilowatt hour (kWh), beginning October 2021 through November 2026.

	Yes	No	Abstain	Absent
John Morris, Trustee President	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry W. Posey Jr., Trustee Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donald R. Culp, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 7, 2021

**RESOLUTION #071-2021**

**RESOLUTION TO AUTHORIZE THE MIAMI TOWNSHIP ADMINISTRATOR TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH POINT BROADBAND OF OHIO LLC**

- Whereas,** In April of 2021, Miami Township was contacted by the Miami Valley Communication Council (MVCC) and Point Broadband of Ohio LLC regarding expanding internet to Miami Township; and
- Whereas,** Point Broadband of Ohio LLC, wants to expand its state-of-the art fiber broadband network to the residents of Miami Township; and
- Whereas,** The proposal from Point Broadband of Ohio LLC, is non-exclusive and does not construct any limitations upon the rights of the township to enter into other agreements similar to this agreement with Point Broadband of Ohio LLC; and
- Whereas,** the agreement from Point Broadband of Ohio LLC, has been reviewed by our law director; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees hereby authorizes the Township Administrator to enter into an agreement with Point Broadband LLC to provide fiber based internet services to Miami Township.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President				✓
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: September 21, 2021

**RESOLUTION #072-2021**

**RESOLUTION TO ACCEPT THE RESIGNATION OF A ZONING COMMISSION MEMBER**

**Whereas,** Amy Jauch has served on the Miami Township Zoning Commission since 2019 as a regular member; and

**Whereas,** Amy Jauch has served Miami Township in good stead as a Zoning Commission member; and

**Whereas,** Amy Jauch has given notice that she will resign her position, effective September 15, 2021; and

**Whereas,** the Miami Township Board of Trustees wishes to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees accepts the resignation of Amy Jauch, and termination of her appointment as a regular member is effective September 15, 2021.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee				✓

Attested:



\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: October 5, 2021

**RESOLUTION #073-2021**

**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**

**Whereas,** the Board of Trustees of Miami Township, in accordance with the provisions of law, has previously adopted Tax Rates for the next succeeding fiscal year commencing January 1, 2022; and

**Whereas,** the Budget Commission of Montgomery 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; and

**Whereas,** the Miami Township Board of Trustees wishes to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

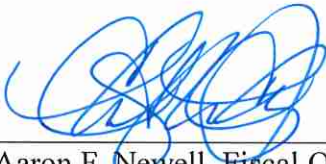
**Be It Further Resolved,** that there be and is hereby levied on the tax duplicate of said Township, the rate of each tax necessary to be levied within and without the ten mill limitation, as listed on the attached documents; and

**Be It Further Resolved,** the Fiscal Officer of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of Montgomery County.

**SIGNATURE PAGE ONLY FOR RESOLUTION #073-2021**

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee				✓

Attested:



\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer

Passed: October 5, 2021

**RESOLUTION # 074-2021**

**RESOLUTION TO ADOPT A ZONING MAP AMENDMENT FROM  
“B-3” BUSINESS DISTRICT TO “SP-PUD” SPECIAL PURPOSE  
PLANNED UNIT DEVELOPMENT DISTRICT UNDER ZONING CASE  
#449-20**

**Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, October 5, 2021; and

**Whereas,** Zoning Case #449-21, filed by Robert Reichert, proposes a rezoning from the “B-3” Business District to the “SP-PUD” Special Purpose Planned Unit Development District; and

**Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees \_\_\_\_\_  
the Zoning Map Amendment under Zoning Case #449-21 and  
\_\_\_\_\_ the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President				
Terry W. Posey Jr., Trustee Vice President				
Donald R. Culp, Trustee				

Attested:

\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: October 5, 2021

**RESOLUTION # 074-2021**

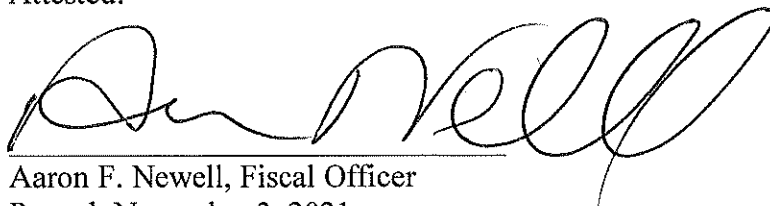
**RESOLUTION TO ADOPT A ZONING MAP AMENDMENT FROM  
“B-3” BUSINESS DISTRICT TO “SP-PUD” SPECIAL PURPOSE  
PLANNED UNIT DEVELOPMENT DISTRICT UNDER ZONING CASE  
#449-2021**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Wednesday, November 3, 2021; and
- Whereas,** Zoning Case #449-21, filed by Robert Reichert, proposes a rezoning from the “B-3” Business District to the “SP-PUD” Special Purpose Planned Unit Development District; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approves the Zoning Map Amendment under Zoning Case #449-21 and rejects the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee		✓		

Attested:



Aaron F. Newell, Fiscal Officer  
Passed: November 3, 2021

**RESOLUTION #075-2021**

**RESOLUTION TO ADOPT A TEXT AMENDMENT TO THE MIAMI TOWNSHIP ZONING RESOLUTION**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, October 19, 2021; and
- Whereas,** Zoning Case #450-21, filed by the Miami Township Zoning Commission proposes amendment to Article 41 of the Miami Township Zoning Resolution; and
- Whereas,** the Zoning Commission has made a recommendation; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Whereas,** the Miami Township Board of Trustees wishes to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees approve the Text Amendment to the Miami Township Zoning Resolution under Zoning Case #450-21 and ~~approve~~ uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: October 19, 2021

**RESOLUTION #076-2021**

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR  
TO EXECUTE A LEASE AND MAINTENANCE AGREEMENT FOR  
MULTI-FUNCTIONAL COPIER EQUIPMENT**

- Whereas,** the Township currently has multiple lease agreements about to expire for photocopier/printer equipment in the Police, Administration and Public Works buildings; and
- Whereas,** the Township Administration desires to consolidate these multiple leases into a single agreement to streamline the administrative requirements; and
- Whereas,** pricing quotes were obtained from three vendors for equipment and maintenance service; and
- Whereas,** the proposed pricing is consistent with pricing information obtained from the Department of Administrative Services; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary paperwork to secure a 60-month lease and maintenance agreement with ProSource for a total of six (6) Konica/Minolta multi-function devices for the Police-Administration, Police-Records, Police-Detective, Administration, and Public Works departments.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



Aaron F. Newell, Fiscal Officer

Passed: November 3, 2021

**RESOLUTION #077-2021**

**RESOLUTION TO AUTHORIZE THE MIAMI TOWNSHIP ADMINISTRATOR TO EXECUTE TEMPORARY CONSTRUCTION EASEMENT AGREEMENTS AND DEEDS BETWEEN MIAMI TOWNSHIP AND MONTGOMERY COUNTY**

- Whereas,** Montgomery County Environmental Services is in need of temporary construction easements to replace a sanitary sewer line along the north side of Austin Boulevard; and
- Whereas,** Timely completion of this public infrastructure project will substantially benefit the residents and businesses of Miami Township; and
- Whereas,** Montgomery County has requested three (3) temporary construction easements as shown in attached Exhibit A-1, in total representing approximately 0.435 acres of land and being part of a 59.3367 Acre Tract owned by the Board of Trustees of Miami Township; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon it is first reading.

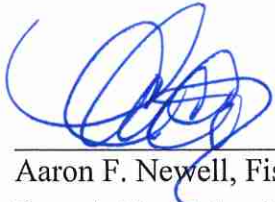
**Therefore Be It Resolved,** the Miami Township Board of Trustees:

- .Section 1.** The Board authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the Township the temporary construction easements and deeds substantially in the form on file with Miami Township, along with any other documents necessary to facilitate transfer of temporary easements to Montgomery County, with such changes thereto as may be approved by the Law Director of the Township and the Township Administrator executing the Agreements, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Agreements.
- Section 2.** The Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution, and that all deliberations of this Board that resulted in those formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SIGNATURE PAGE ONLY FOR RESOLUTION #077-2021**

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee				✓

Attested:



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Aaron F. Newell, Fiscal Officer

Passed: November 16, 2021

## RESOLUTION #078-2021

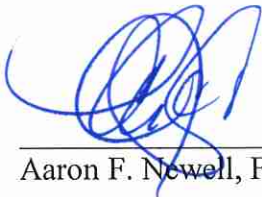
### RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE A PURCHASE AGREEMENT FOR VOICE OVER INTERNET (VoIP) EQUIPMENT

- Whereas,** the Township is committed to maintaining a safe working environment that includes adequate social distancing and supporting telework capabilities while delivering high quality service; and
- Whereas,** the current phone system is no longer technologically adequate to effectively support telework and community outreach needs; and
- Whereas,** the Township received VoIP service quotes from a variety of vendors as part of the ISP research process; and
- Whereas,** federal funding is available for the acquisition of new phone equipment to support telework needs and improve service delivery and community outreach efforts; and
- Whereas,** has engaged the Miami Valley Educational Computer Association for fiber-based internet service for the Police, Government Center and Public Works buildings; and
- Whereas,** the Miami Township Board of Trustees wishes to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary paperwork to purchase VoIP Equipment from the Miami Valley Education Association.

**SIGNATURE PAGE ONLY FOR RESOLUTION #078-2021**

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee				✓

Attested:



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Aaron F. Newell, Fiscal Officer

Passed: November 16, 2021

**RESOLUTION #079-2021**

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO ENTER INTO A JOINT CONSTRUCTION AGREEMENT WITH THE CITY OF MIAMISBURG, FOR THE RESURFACING OF TOWNSHIP STREETS**

- Whereas,** the City of Miamisburg (City), with the cooperation of Miami Township (Township), desires to undertake a roadway resurfacing program in 2022; and
- Whereas,** it is the desire of both the City and the Township that this resurfacing program be undertaken in a coordinated manner to reduce over-all construction costs; and
- Whereas,** the City shall be designated as the lead agency to solicit bids for this resurfacing and associated work in accordance with approved plans and specifications, and said solicitation to be made in accordance with applicable law; and
- Whereas,** the Township shall reimburse the City for actual construction costs for work completed within Township boundaries based on contract unit prices, as-built quantities, and construction changes approved by the Township; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** that the agreement hereto between the City of Miamisburg and Miami Township for roadway resurfacing is hereby approved, the Township Administrator is authorized to execute said agreement on behalf of Miami Township, and is further authorized to sign any amendments or extensions thereto that the Administrator deems appropriate.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald Culp, Trustee	✓			

Attested:



\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #080-2021**

**RESOLUTION TO REAPPOINT A  
ZONING COMMISSION REGULAR MEMBER**

- Whereas,** the Zoning Commission is made up of five regular members and two alternates; and
- Whereas,** Brent Anslinger's term of office expires December 31, 2021; and
- Whereas,** Mr. Anslinger has expressed a desire to continue to serve on the commission; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees reappoints Brent Anslinger to serve on the Zoning Commission for a term of five (5) years ending on December 31, 2026.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #081-2021**

**RESOLUTION TO REAPPOINT A  
ZONING COMMISSION ALTERNATE MEMBER**

- Whereas,** the Zoning Commission is made up of five regular members and two alternates; and
- Whereas,** Jane Heavin's term of office expires December 31, 2021; and
- Whereas,** Ms. Heavin has expressed a desire to continue to serve on the commission; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees reappoints Jane Heavin the first of two alternate members on the Zoning Commission for a term of one (1) year ending on December 31, 2022.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #082-2021**

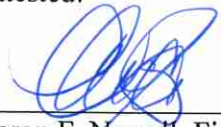
**RESOLUTION TO APPOINT A  
ZONING COMMISSION REGULAR MEMBER**

- Whereas,** the Zoning Commission is made up of five regular members and two alternates; and
- Whereas,** Amy Jauch's term of office expires December 31, 2022; and
- Whereas,** Ms. Jauch resigned from the Zoning Commission, leaving a vacancy on the Commission; and
- Whereas,** Zachary Dickerson is currently serving on the Miami Township Board of Zoning Appeals and has expressed interest in the Zoning Commission vacancy; and
- Whereas,** Mr. Dickerson's term of office expires December 31, 2021; and
- Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Zachary Dickerson to serve on the Zoning Commission effective January 1, 2022 to serve the remainder of Ms. Jauch's term ending on December 31, 2022.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:

  
\_\_\_\_\_  
Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #083-2021**

**RESOLUTION TO APPOINT A  
BOARD OF ZONING APPEALS REGULAR MEMBER**

**Whereas,** the Board of Zoning Appeals is made up of five regular members and two alternates; and

**Whereas,** Zachary Dickerson’s term of office expires December 31, 2021; and

**Whereas,** Mr. Dickerson was appointed to a term on the Zoning Commission effective January 1, 2022, leaving a regular member vacancy on the Board of Zoning Appeals; and

**Whereas,** Jake Fryman is currently serving on the Miami Township Board of Zoning Appeals as an alternate and has expressed interest in the Board of Zoning Appeals regular member vacancy; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Jake Fryman to serve on the Board of Zoning Appeals effective January 1, 2022 for a term of five (5) years ending on December 31, 2026.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:

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Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #084-2021**

**RESOLUTION TO REAPPOINT A  
BOARD OF ZONING APPEALS ALTERNATE MEMBER**

**Whereas,** the Board of Zoning Appeals is made up of five regular members and two alternates; and

**Whereas,** William Skudlarek's term of office expires December 31, 2021; and

**Whereas,** Mr. Skudlarek has expressed a desire to continue to serve on the board; and

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore Be It Resolved,** the Miami Township Board of Trustees reappoints William Skudlarek as the first of two alternate members on the Board of Zoning Appeals for a term of one (1) year ending on December 31, 2022.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #085-2021**

**RESOLUTION TO AUTHORIZE CONTINUED OPERATIONS  
IN CALENDAR YEAR 2022**

**Whereas,** the day-to-day operations of the Township government functioned well in 2021 with dedicated and conscientious employees whose purpose was to provide the best possible services to the residents, businesses, and visitors in Miami Township; and

**Whereas,** all departments - Administration, Community Development, Compliance, Facility Management, Finance, Police, and Public Works are functioning in a responsive, organized and efficient manner under the direction of the Township Administrator and the Department Heads;

**Whereas,** the Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading; and

**Therefore, Be It Resolved,** the Board of Trustees of Miami Township, Montgomery County, Ohio, authorizes continued operations for all departments to operate under the enacted management program for calendar year 2022.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer

Passed: December 7, 2021

## RESOLUTION #086-2021

### RESOLUTION TO REQUEST TAX ADVANCES FROM THE MONTGOMERY COUNTY AUDITOR IN FISCAL YEAR 2022


- Whereas,** the Ohio Revised Code allows advancement of payments on taxes; and
- Whereas,** the tax bills will soon be sent out in Montgomery County; and
- Whereas,** Township residents will begin making payments upon receipt of these bills; and
- Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Miami Township Board of Trustees requests the Montgomery County Auditor pay monthly advances to Miami Township of collected taxes during 2022; and

**Be It Further Resolved,** the Miami Township Board of Trustees authorizes the Finance Director to complete and submit the necessary paperwork to the Montgomery County Auditor.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: December 7, 2021

**RESOLUTION #087-2021**

**RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF FUNDS FOR 2021**

**Whereas,** the annual appropriations for 2021 are to provide for expenditures for the fiscal year ending December 31, 2021; and

**Whereas,** it is necessary to amend the appropriation of funds for Miami Township;

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading

**Therefore Be It Resolved,** the Board of Trustees of Miami Township, Montgomery County, Ohio, amends the fiscal year appropriations for 2021 and forwards the attached copy to the Montgomery County Auditor.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer

Passed: December 14, 2021

**RESOLUTION #088-2021**

**RESOLUTION TO APPROVE ANNUAL APPROPRIATION OF FUNDS FOR 2022**

**Whereas,** the annual appropriations for 2022 are to provide for expenditures for the fiscal year ending December 31, 2022; and

**Whereas,** it is necessary to approve an appropriation of funds for Miami Township;

**Whereas,** The Board of Trustees desires to dispense with the requirement that a resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

**Therefore, Be It Resolved,** the Board of Trustees of Miami Township, Montgomery County, Ohio, approves the annual appropriations for 2022 and authorizes the Finance Director to forward the attached copy to the Montgomery County Auditor.

	Yes	No	Abstain	Absent
John Morris, Trustee President	✓			
Terry W. Posey Jr., Trustee Vice President	✓			
Donald R. Culp, Trustee	✓			

Attested:



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Aaron F. Newell, Fiscal Officer  
Passed: December 14, 2021