**********

**MINUTES OF SYMMES TOWNSHIP REGULAR MEETING**

**MAY 1, 2012**

**********

The meeting was called to order at 7:00 p.m. Elected Officials (Trustees and Fiscal Officer) present were: Mr. Beck, Mr. Kenneth Bryant, Mrs. Jodie Leis, and Mr. John Borchers.

Also present: Brian Elliff - Township Administrator; Robert Malloy - Township Law Director; Carol Sims - Township Assistant Fiscal Officer; Bill Pitman - Director of Public Works; Lt. Thomas Butler - Hamilton County Sheriff's Department; Otto Huber - Chief, Loveland Symmes Fire Department.

PRESENTATION

DOUG RACK, TURNER CONSTRUCTION - Updated the Board on the status of the Home of the Brave Park development. Mr. Rack provided the Board with information regarding the change orders reflected on the agenda.

HOLLY CHRISTMANN, HAMILTON COUNTY SOLID WASTE - Presented information regarding the updated Solid Waste Management Plan for Hamilton County. Ms. Christmann stated they are seeking approval of the Plan Update. This plan is updated every five years to make sure there is adequate means to dispose of trash. Ms. Christmann noted this update is similar to the existing plan and does continue the recycling award program. Ms. Christmann advised the Board of various programs and opportunities offered to Hamilton County residents.

The Board thanked Ms. Christmann for providing this information.

HAMILTON and WARREN COUNTY ENGINEER'S OFFICES - Updated the Board on proposed plans for the intersection of Fields Ertel and Lebanon Roads. This intersection is located on the County dividing line and joint action is required.

MR. ELLIFF advised a Public Hearing was held in Deerfield Township on March 22, 2012 and comments from this meeting was included in the Administrator's packet.

NEAL TUNISON, WARREN COUNTY ENGINEER - Thanked the Board for the opportunity to present this proposed plan to improve this intersection. The original thought was to install turn lanes/traffic light. However, it was decided that the installation of a roundabout would be the best solution. This will require a minimum amount of additional right-of-way needed for the improvement.

KURT WEBER, WARREN COUNTY CHIEF DEPUTY - Noted this is currently a 4-way stop intersection and this causes traffic delays. As explained, they have looked at various options to alleviate this problem - now and in the future. It is thought that the roundabout is the best solution and will offer more benefits to the area.

MR. TUNISON stated they are looking to use Public Works funding and the earliest this project could happen would be 2015. Mr. Tunison advised they will continue to work with Hamilton County.

PHIL BECK reported that, on April 21, the Symmes Township Historical Society formally dedicated the Ross Family log house which has been restored and is located in the Meade Park. Mr. Beck advised he and Mr. Bryant accepted a Certificate of Appreciation presented to the Symmes Township Board of Trustees. This certificate recognized the Township's assistance with this project.

RECEIPTS

Receipts totaling $378,580.19 were read and accepted.

WARRANTS

MRS. LEIS moved that the Township pay its bills. Mr. Beck seconded the motion and all voted 'aye'. Proper certification having been made, warrants totaling $293,587.61 were issued.

MINUTES

Minutes of the September 6, 2011 Special meeting were approved as submitted.
Minutes of the September 6, 2011 Regular meeting were approved as submitted.
Minutes of the October 4, 2011 meeting were approved as submitted.
Minutes of the November 1, 2011 meeting were approved as submitted.

REPORTS

BRIAN ELLIFF - Reported on activities in the township since the last meeting:

1. PARK DEDICATION - Reminded the Board that the Home of the Brave Dedication is scheduled for May 25 from 5:00 p.m. to 9:00 p.m. Carol Sims and Luanne Felter have been working to prepare for this event.

2. CAMP DENNISON SIGNAGE - Reported that ODOT is planning to install Pedestrian Crossing Signage near the intersection of Lincoln and Glendale Milford Roads.

LT. BUTLER - Presented the monthly activity report.

HEARING FROM RESIDENTS

ROBERT WILSON, 9012 SYMMES KNOLL (45140) - Expressed concern regarding the condition of a property on his street. There was a recent fire at this house and it appears that nothing is being done to secure and repair this house.

MR. ELLIFF advised the Board will be reviewing this property in Executive Session. The Township has been working with the Law Director to resolve this issue. The Hamilton County Board of Health has made some findings. Mr. Elliff stated the Board will probably take action against this property later tonight.

Mr. WILSON stated the neighborhood would appreciate any assistance from the Township.

LARRY RIESENBERG, 9630 ALLEGRO (45140) - Read a letter questioning the poem which is located on the new memorial wall at the Home of the Brave Park. Mr. Riesenberg stated this poem is inappropriate for a family park and requested the Board to remove this was the memorial wall.

MRS. LEIS stated this is on tonight's agenda for discussion.

MR. RIESENBERG questioned the status of the pedestrian access to the Home of the Brave Park from the Woodwind area.

MR. ELLIFF advised the Township has contacted residents in this neighborhood to see if there was interest in acquiring an easement for this access. There has been no response from the residents.

MR. BRYANT advised the Board is still looking into this possibility and there is nothing to report at this time.

CORRESPONDENCE

CAREWORKS - Letter regarding Transitional Work Bonus Program.

J.K. MEURER - Proposals for asphalt work.

HAMILTON COUNTY AUDITOR - Letter regarding allocation of Local Government Fund and request for enabling resolution.
DEPARTMENT OF COMMERCE - Elevator inspector notice.

HAMILTON COUNTY SHERIFF'S DEPT - Activity reports.

HAMILTON COUNTY - e-mail with attached water contract with Indian Hill.

CINTI HORTICULTURAL SOCIETY - Press release of upcoming events.

MIKE MECKES, 9227 SOLON - e-mail regarding condition of property on private drive off Solon.

DUKE RETAIL - e-mail regarding billing question.

STEVE QUINN - e-mails regarding water gushing from sewer on Enyart Road.

HAMILTON COUNTY AUDITOR - Certificate of Total Appropriations.

EMHT - Project information sheet for proposal at Fields Ertel and Lebanon/Columbia intersection.

EASTMAN & SMITH - Public Records Request.

TURNER CONSTRUCTION - e-mail regarding punch list for Home of the Brave Park.

HAMILTON COUNTY COURT OF COMMON PLEAS - Notice of suit filed by Lucke Interests.

DUKE ENERGY - Notice of receipt of security deposit for Home of the Brave Park.

HAMILTON COUNTY SOLID WASTE - Request for passage of resolution approving/disapproving proposed solid waste program.

cc:ISO to LOVELAND - Letter regarding current ISO rating.

TURNER CONSTRUCTION - e-mail response regarding recent KLA Risk Consulting report.

PERSO - Acknowledgment of suit filed by Lucke Interests.

WOOD & LAMPING - e-mail memo regarding solicitation policy at local fairs and festivals.

M/M TRICKEY, 7879 CAMP RD (45111) - Letter regarding Indian Hill water issue.

M/M TRICKEY, 7879 CAMP RD (45111) - Letter regarding proposed permanent levy for park maintenance.

BUREAU OF MOTOR VEHICLES - Acknowledgement of audit report filed for:
a. City of Loveland - Clermont County
b. City of Loveland - Hamilton County

WATERFORD PLACE - e-mail regarding water run-off issue.

CHIEF HUBER - e-mail response to inquiry regarding ISO letter and report.

DIANE TARAGANO - e-mail regarding electric aggregation issue.

SEALED BIDS FOR 2012 RESURFACING received from:
a. J.K. Meurer Corp.
b. John Jurgensen Co.
c. Barrett Paving
d. Mt. Pleasant Blacktopping

SYMMES FIRE DEPT - e-mail regarding log house video security system.

FAST GREEN - e-mail quote for recycling.

HAMILTON COUNTY TREASURER - Notice of Collection of Inheritance Taxes ($6,688.71).

HAMILTON COUNTY AUDITOR - Certificate of estimated property tax revenue for proposed park levy.

cc:CHIEF HUBER to ISO - Letter regarding development of Retention Program.

DUKE RETAIL - e-mail response to inquiry from Diane Taragano.

cc:HAMILTON COUNTY ZONING to J. STEFFEN - Letter regarding her zoning certificate.

BRIAN CHRISTIAN - Letter of resignation effective April 25, 2012.

OLD BUSINESS

MRS. LEIS moved to approve the contract for Police Protection Services as submitted with the minor modification and to authorize Township Administrator to sign contract. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

NEW BUSINESS

GERALD DYER and JEANNIE CLEMENTS - Stated they represented the Loveland Lacrosse Club and thanked the Board for the opportunity to discuss the possibility of installing a Lacrosse Box on the Royal park property.

MR. DYER noted this is similar to an outdoor hockey rink, but with a grass playing surface, and it can be dismantled and removed. Mr. Dyer noted it is insured by the Lacrosse Club and noted that this will be the only box lacrosse facility in the Midwest and will allow the players to participate in the sports on a larger scale. The club is hoping to be able to place this box on the Royal park property.

MR. ELLIFF noted that Staff is looking for direction from the Board regarding the placement of this box on the Royal park property. The Loveland Lacrosse Club is proposing to set this box up from June 15 through August, 2012 and therefore it will not conflict with other sports utilizing this property. They will restore any dead grass and will provide insurance.

MRS. LEIS advised that her son plays lacrosse and the Loveland Lacrosse Club is a great organization. Mrs. Leis stated she is in favor of doing anything which helps children participate in sports.

MR. BRYANT expressed concern that the Township represents three public school districts and would like them all to be able to participate.

MRS. CLEMENTS advised that the club opens the summer season to anyone within the Southwest area as long as there is space.

MR. BECK stated that Symmes Township is very sports related with the park system.

MRS. LEIS moved to approve a license agreement to permit the installation of a lacrosse box. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. ELLIFF advised that the Township has received comments expressing concern regarding the poem on the Memorial Wall. The Township bought this memorial wall as a package and did not select the poem. Mr. Elliff questioned if the Board wishes to replace this panel and advised that Mr. Beck has prepared substitute wording.

MRS. LEIS stated she agreed with the comments and is in favor of Mr. Beck's wording. Mrs. Leis further stated she is in favor of replacing this panel.

MR. BRYANT stated he agreed with this statement.

MR. BECK noted this memorial wall was designed for another community and Board did not have any input on the panels' content. Mr. Beck stated he agreed that this poem is not appropriate for this park. Mr. Beck advised that the poem he has submitted is a tribute to veterans and honors what they have done for the country.

MRS. LEIS moved to approve an expenditure in an amount not to exceed $2,000.00 for the replacement of a panel on the Memorial Wall. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to amend:
a.Permanent Appropriation 11-C-3 (Road Levy - Road Contracts) from $450,000.00 to $512,000.00
b.Permanent Appropriation 12-A-4 (Parks - Improvement to Sites) from $273,298.00 to $305,082.00
Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. ELLIFF reported that bids for the 2012 Resurfacing Project were received and opened on April 24, 2012. The following bids were received:

| | |
|---|---|
| J. K. Meurer | $522,672.65 |
| John Jurgensen | 509,154.70 |
| Barrett Paving | 513,750.66 |
| Mt. Pleasant Blacktopping | 535,143.90 |

Mr. Elliff advised that Staff has reviewed these bids and is recommending that John Jurgensen be awarded the contract.

MRS. LEIS moved to award the bid for the 2012 Resurfacing Project to the John Jurgensen Company in the amount of $509,154.70. Mr. Beck seconded the motion.

MR. BRYANT noted that this amount exceeds the normal amount and stated he wants to make sure that the difference will not affect the sidewalk funds in this account.

MR. BORCHERS stated there have been times when the Township needs to expend more on the current road project than budgeted and this is not a problem. No sidewalk funds will be used.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION G2012-14**
Resolution Authorizing and Directing the Execution of the
License Agreement for Use of Township Right-of-Way

WHEREAS, the Board of Township Trustees of Symmes Township, Hamilton County, Ohio, deems it necessary and in the best interest of the Township to allow for the use of certain property; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio has determined that it is appropriate and necessary at this time to proceed with the grant of a revocable street license for the real property hereinafter described/depicted in order to reserve and protect the property for the public use; and

WHEREAS, the Board of Trustees, has determined the necessity of granting a non-exclusive license, over and across the property known as Parcel no. 620-0122-0093, Singleton Alley; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1.The Board of Trustees of Symmes Township is hereby authorized to grant a license and execute a License Agreement, substantially as set forth and attached hereto as Exhibit “A” and incorporated herein by reference, and authorizes the Administrator to execute same and as may be subject to minor modification by the Administrator as approved by counsel.

Section 2.The purpose of said granting of interest in the real estate described herein above is for the public access of the public, including the adjacent property owners for the purpose of access, repair and maintenance of the Singleton Alley.

Section 3.That the Board of Trustees of Symmes Township upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorize the adoption of this Resolution upon its first reading.

Section 4.This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

Mr. Bryant seconded the motion.

MR. BRYANT stated this involves a paper street in the Camp Dennison area and would like to have this matter researched before taking action.

ROBERT MALLOY advised he has researched the use of this right-of-way by the property owners. The paper street is an unimproved right-of-way and the property owners have an entitlement to an adjoining right-of-way. This agreement will protect the Township and will ensure that the right-of-way remains open to the public. The Township will not have any responsibility to improve or maintain this right-of-way. Mr. Malloy stated he is comfortable with the proposed the License Agreement.

MR. BRYANT stated he just wanted to make sure that the Township was being consistent with alleyways within the Township.

MR. BECK advised he will recuse himself from this vote since the architect is his brother-in-law.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'abstain'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION G2012-10**

Resolution Designating the Public Purpose of Certain
Public Infrastructure Improvements and Authorizing Expenditures
From the Township's Public Improvement Tax Increment Equivalent Fund

WHEREAS, the Board of Trustees (the "Board") of Symmes Township (the "Township"), Hamilton County, Ohio has pursuant to Section 5709.73 et seq. of the Ohio Revised Code, previously adopted Resolution No. F-9101, adopted February 5, 1991, as amended by Resolution No. F-0303, adopted April 1, 2003, (the “TIF Resolution”), which declared certain public infrastructure improvements to be a public purpose with respect to the development of certain property set forth in such resolution; and

WHEREAS, the Board intends to make expenditures from the public improvement tax increment equivalent fund established in the TIF Resolution (the "TIF Fund") for certain public infrastructure improvements; and

NOW, THEREFORE, BE IT RESOLVED by Board of Trustees of Symmes Township, County of Hamilton, Ohio, at least two-thirds of the members elected thereto concurring:

Section 1.That it is hereby declared necessary to use moneys in the TIF Fund to pay the cost of acquiring police, fire and EMS equipment and this Board hereby determines that the acquisition of such police, fire and EMS equipment was included in the declaration of the public purpose set forth in the TIF Resolution and was included in the determination of the public infrastructure improvements necessary for the development of the property or required as a result of the impact such development placed on the existing infrastructure pursuant to Section 5709.73 of the Ohio Revised Code.

Section 2.That this Board hereby approves and authorizes the expenditure of monies in the TIF Fund, pending proper budget appropriations, for the acquisition of police, fire and EMS equipment.

Section 3.That this Board hereby authorizes the Administrator, the Fiscal Officer and all members of the board to execute any and all documents necessary or appropriate to accomplish the expenditure of such TIF Funds for the acquisition of police, fire and EMS equipment.

Section 4.That it is found and determined that all formal actions of the Board

concerning and relating to the adoption of this resolution were adopted 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 Section 121.22 of the Ohio Revised Code.

Mr. Bryant seconded the motion.

MR. BORCHERS reminded the Board that the Township has had Tax Increment Financing (TIF) legislation for many years. At the last annual TIF meeting, the school districts questioned if the Township was correctly expending the money and upon their review, it was determined that it was being spent properly.

Mr. Borchers explained that based on this question, he requested the Township Bond Counsel for clarification of the proper expenditures. Mr. Borchers stated he specifically questioned if the Township could spend this money on fire and police equipment. The Bond Counsel has determined this would be a proper expenditure and this resolution provides that clarification.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION G2012-11**
Resolution Authorizing the Adoption
of an Alternative Method of Apportioning
the Local Government Revenue Assistance Fund

WHEREAS, Ohio Revised Code Section 5747.63 provides that in lieu of apportioning the undivided local government fund by the method prescribed by Revised Code Section 5747.61 and 5747.62, that an alternate method of apportioning said fund may be approved by the Budget Commission upon approval of such alternative method by the Board of County Commissioners, the legislative authority of the city, located wholly or partially in the county, with the greatest population; and a majority of the boards of township trustees and legislative authorities of municipal corporations, located wholly or partially within the county, excluding the legislative authority of the city with the greatest population; and

WHEREAS, up until 1989, the Hamilton County Budget Commission had operated under that statutory formula provided by Revised Code Sections 5747.61 and 5747.62; and

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

WHEREAS, the statutory method of apportioning the Fund had resulted in continued uncertainties about the financial distribution of the FUND; and

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

WHEREAS, the alternative method of apportioning the Local Government Revenue Assistance Fund as described and outlined in the attached Exhibit "A" represents a fair and equitable method of apportioning the Local Government Fund which is in the best interests of Symmes Township;

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

MR. BECK seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION G-2012-12**
Resolution Approving the Update of the
Solid Waste Management Plan of the
Hamilton County Solid Waste Management District

WHEREAS, pursuant to the provisions of Chapter 373, Ohio Revised Code (the "Act"), the Hamilton County Solid Waste Management District Policy Committee (the "Policy Committee") has adopted an update of the solid waste management plan (the "Plan Update") for the Hamilton County Solid Waste Management District ("the District"); and

WHEREAS, pursuant to the Act, the Board of County Commissioners of each County in the District, and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan Update by ordinance or resolution; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, has reviewed the Plan Update and has determined that the Plan Update is in the best interests of Symmes Township and Hamilton County;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township; Hamilton County, Ohio:

Section 1:The Board of Trustees of Symmes Township hereby approves the Plan Update, a true and correct copy of which is attached hereto as Exhibit A.

Section 2:It is hereby certified that all formal actions of the Board of Trustees of Symmes Township relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees and that all deliberations of the Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

Section 3:This Resolution is hereby declared to be an emergency necessary for the immediate preservation of the public health and welfare of Symmes Township; the reason for the emergency being the need to comply with statutory provisions and to proceed with solid waste management policies without delay in order to properly serve Symmes Township.

Section 4:The Fiscal Officer is hereby directed to promptly deliver, or cause to be delivered, a copy of this Resolution to the Hamilton County Solid Waste Management District.

MR. BRYANT seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION G2012-13**
Resolution Determining to Proceed to Levy
a Replacement Tax in Excess of the Ten-Mill Limitation

WHEREAS, this Board of Township Trustees of Symmes Township, Hamilton County, Ohio has heretofore declared the necessity of levying a replacement of a tax in excess of the ten-mill limitation for the benefit of this Township pursuant to the provisions of Section 5705.19 (H) of the Ohio Revised Code for parks and recreational purposes; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, the Board of Township Trustees has heretofore certified to the County Auditor a Resolution requesting the County Auditor to certify to this Board of Township Trustees the total current tax valuation of the Township and the dollar amount of revenue that would be generated by one (1.0) mill per year as specified in such Resolution, and this Board of Township Trustees has received the certification of the County Auditor that such total current tax valuation is $578,199,920 and that such dollar amount of revenue is $578,200 per year (a copy of such certification is attached hereto as Exhibit “A”);

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of the Symmes Township (herein the "Township"), County of Hamilton, Ohio, by at least two-thirds of all the members elected thereto concurring:

Section 1.That it is hereby declared that the amount of taxes which may be raised in this Township within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of this Township.

Section 2.That pursuant to the provisions of Sections 5705.19 (H) and 5705.192 of the Ohio Revised Code, it is necessary to levy a replacement of an existing tax to constitute a tax in excess of such ten-mill limitation of the township for the purpose of providing necessary funds for parks and recreational purpose of at the rate not exceeding one (1.0) mill for each one dollar ($1.00) of valuation, which amounts to ten cents ($0.10) for each one hundred dollars ($100.00) of valuation, for a continuing period of time.

Section 3.That the question of the adoption of said replacement tax levy shall be submitted to the electors of the Township at the election to be held on November 6, 2012, and if said levy is approved by a majority of said electors such renewal tax shall first be placed upon the 2012 tax list and duplicate, for first collection in calendar year 2013.

Section 4.That the form of the ballot to be used at said election shall be substantially as follows:

PROPOSED TAX LEVY OF
SYMMES TOWNSHIP
A majority affirmative vote is
NECESSARY FOR PASSAGE

A replacement of an existing levy to constitute a tax for the benefit of Symmes Township, County of Hamilton, Ohio, for parks and recreational purposes at a rate not exceeding one (1.0) mill for each one dollar ($1.00) of valuation, which amounts to ten cents ($0.10) for each one hundred dollars ($100.00) of valuation, for a continuing period of time, commencing in 2012, first due in 2013.

FOR THE TAX LEVY
AGAINST THE TAX LEVY

Section 5.That the Fiscal Officer of this Board of Township Trustees be and is hereby directed to certify a copy of this resolution to the Board of Elections, not later than four o'clock (4:00) p.m. of the ninetieth (90th) day before the date of said election and to notify said Board of Elections to cause notice of the election on the question of levying said tax to be given as required by law, substantially in the form of the notice attached hereto as Exhibit “B”.

Section 6.That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Township Trustees; and that all deliberations of this Board of Township 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.

MR. BECK seconded the motion.

MR. BRYANT stated he was against a continuing levy; however, there is a need for funding for the park system and will vote for this resolution.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

**RESOLUTION PR2012-01**
Resolution Amending Resolution PR-9301
Adopting Rules and Regulations
for Symmes Township Parks

WHEREAS, Ohio Revised Code, Section 511.32, requires that the Board of Township Trustees shall provide for the protection and preservation of park property and improvements under its jurisdiction; and

WHEREAS, Ohio Revised Code, Section 511.326, provides that the Board of Township Trustees shall make and enforce all needful rules and regulations for the care, supervision, and control of park property and improvements under its jurisdiction; and

WHEREAS, the Board of Trustees on June 15, 1993 adopted Resolution PR-9301, Resolution Adopting Rules and Regulations for Symmes Township Parks; and

WHEREAS, the Board of Trustees has revised the Rules and Regulations for Symmes Township pursuant to Resolutions PR-9402,
PR-9501, PR-9702, PR-9703, PR-9801, PR-0001, PR-0101, PR-0203,
PR-0401 and PR-2010-01; and

WHEREAS, the Board of Trustees will officially open The Home of the Brave Park to the public on May 25, 2012 and Township Staff has recommended that the Impact Fee Schedule be amended to include the shelter rental fee for this park; and

WHEREAS, the Board of Trustees wishes to amended the fee schedule to include the shelter at The Home of the Brave Park.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township that the following section of the Rules and Regulations for Symmes Township Parks are hereby revised and adopted as follows:

Section 2. **RESERVATIONS – PICNIC SHELTERS/AMPHITHEATER**
The Deposit/Maintenance Impact Fee schedule is as follows:

| | Capacity | Deposit | Fee |
|---|---|---|---|
| Leming Shelter | 80 | $100 | $100 |
| Shady Ridge | 64 | $100 | $ 85 |
| Deer Run | 48 | $100 | $ 70 |
| Amphitheater | | $100 | $ 50 |
| Seven Gables | 20 | $100 | $ 40 |
| Hopewell Main **(both sides)** | 68 | $100 | $100 |
| Hopewell Remote | 38 | $100 | $ 70 |
| Shore Drive Park | 12 | $100 | $0 |
| Home of the Brave Park | 60 | $150 | $150 |

BE IT FURTHER RESOLVED, that this Resolution shall take effect and be in force from and after the earliest period allowed by law; and

BE IT FURTHER RESOLVED, that the Township Administrator is directed to cause the revision to the Park Rules and Regulations to be published once a week for two consecutive weeks in a newspaper of general circulation within the Township.

MR. BRYANT seconded the motion.

Mr. Bryant questioned why the rental and maintenance fee for Home of the Brave Park is higher than the other shelters.

MRS. SIMS advised this higher fee is due to the wet playground and the anticipated higher usage of this shelter.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION F2012-02

Resolution Authorizing the Issuance of Not to Exceed $2,300,000
Various Purpose Refunding Bonds for the Purpose of Refunding
Outstanding Bonds, the Execution of a Bond Purchase Agreement
Appropriate for the Sale of the Bonds, The Execution of
a Certificate of Award Containing the Final Terms of the Bonds,
the Preparation of an Official Statement, the Execution
of an Escrow Deposit Agreement Securing the Refunded Bonds
and Other Necessary Agreements and Certificates

WHEREAS, the Board of Trustees (the "Board") of Symmes Township, County of Hamilton, Ohio (the "Township"), has previously adopted two separate resolutions which authorized the issuance of bonds for the purposes of (A) (i) refunding Bonds originally issued for the purposes of paying the costs of (a) constructing a new safety service center including planning, and legal costs and (b) constructing a fire station in the Township, including land acquisition, planning, and legal costs; and (ii) paying certain costs related to the issuance of the Bonds together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs, and (B) (i) refunding Bonds originally issued for the purposes of paying the cost of (a) acquiring land for a new safety service center; (b) permanently financing outstanding bond anticipation notes originally issued for the purpose of acquiring park land and refunding outstanding notes originally issued for the purpose of constructing the Symmes Station Project; (c) acquiring real estate for township purposes; and (d) constructing public buildings; and (ii) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs; and

WHEREAS, the Board has determined it is in the best interest of the Township to combine the separate bond issues into a single bond in order to achieve certain cost savings; and

WHEREAS, the Fiscal Officer of the Township has certified that the remaining maximum maturity of said refunding securities is twenty-one (21) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, County of Hamilton, Ohio:

Section 1.That it is necessary to issue and sell bonds (the "Bonds") of Symmes Township, Hamilton County, Ohio in the principal sum of not to exceed $2,300,000 for the purposes of (A) (i) refunding Bonds originally issued for the purposes of paying the costs of (a) constructing a new safety service center including planning, and legal costs and (b) constructing a fire station in the Township, including land acquisition, planning, and legal costs; and (ii) paying certain costs related to the issuance of the Bonds together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs, and (B) (i) refunding Bonds originally issued for the purposes of paying the cost of (a) acquiring land for a new safety service center; (b) permanently financing outstanding bond anticipation notes originally issued for the purpose of acquiring park land and refunding outstanding notes originally issued for the purpose of constructing the Symmes Station Project; (c) acquiring real estate for township purposes; and (d) constructing public buildings; and (ii) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

Section 2.That Bonds of Symmes Township, Ohio shall be issued in said principal sum of not to exceed $2,300,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. Said Bonds shall be issued in denominations of $5,000 or any integral multiple thereof, shall be numbered from 1 (or R-1) upward, shall be dated such date as is set forth in the Certificate of Award and shall bear interest at such rates per annum and at a net interest cost as set forth in the Certificate of Award (but such net interest costs shall not be in excess of five and one half per centum (5.50%) per annum), payable semiannually on each June 1 and December 1 (each an "Interest Payment Date") of each year, commencing December 1, 2012, or such other dates as are determined by the Fiscal Officer, until the principal sum is paid, as set forth in the Certificate of Award, within the limitations set forth in Chapter 133 of the Ohio Revised Code, without further action of the Board of Township Trustees. The Bonds shall be subject to mandatory and optional redemption as set forth in the Certificate of Award.

The Township Administrator is hereby authorized to conduct such sale and to execute and deliver, without further action of the Board of Township Trustees, the Certificate of Award setting forth the final terms of the Bonds. The signature of said officer on the Certificate of Award shall be conclusive evidence that the terms of the Bonds are acceptable to the Township.

Section 3.That said Bonds shall be designated "Various Purpose General Obligation Refunding Bonds, Series 2012" (the "Bonds"). The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form. The Bonds shall bear the signatures of the members of this Board of Township Trustees and of the Fiscal Officer, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of Huntington National Bank, Cincinnati, Ohio, the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Fiscal Officer and/or the Township Administrator are hereby authorized to enter into a Bond Registrar Agreement with the Paying Agent and Registrar to provide for the payment of principal and interest on the Bonds to the registered holders of the Bonds. Such Bond Registrar Agreement shall be in such form as is approved by bond counsel.

Section 4.That the proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code to the respective purposes and funds in accordance with the amount of bonds authorized by this ordinance and the amount of bonds authorized by the ordinances providing for the issuance of not to exceed $820,000 Various Purpose Building Improvement Refunding Bonds and not to exceed $1,480,000 Various Purpose Refunding Bonds.

Section 5.That for the payment of said Bonds and the interest thereon, the full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all

other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax 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 said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

Section 6.That said Bonds shall be sold to RBC Capital Markets, LLC, at the purchase price set forth in the Certificate of Award pursuant to the terms of the Bond Purchase Agreement which is hereby authorized and which shall be executed by the Township Administrator without further action of this Board. The proceeds from the sale of said Bonds, including any premium but excepting the accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose and any accrued interest or premium not used for the purpose aforesaid shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law.

Section 7.That the Board covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 7 it is necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the Township an IRS Form 8038-G in connection with the issuance of the Bonds.

These Bonds are designated as "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

Section 8.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to take any and all actions which may be necessary to issue the Bonds in book-entry-only form or in such form as will render the Bonds eligible for the services of the Depository Trust Company, New York, New York without further action by this Board of Township Trustees, including execution of all documents necessary therefor.

Section 9.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the bonds in form and content satisfactory to them, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rule 15c2-12. The execution of the final official statement by either or both of such officers shall be conclusive evidence of its authorization and approval.

Section 10.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to apply, if he deems it appropriate, for a rating or ratings on the Bonds from such ratings agency or agencies as he deems appropriate. The Fiscal Officer is further authorized to pay the fee for any rating to the extent authorized by law and approved by bond counsel.

Section 11.In connection with the issuance of the Bonds and to serve the rights of the holders of the prior bonds that are refunded hereby, the Fiscal Officer, on behalf of the Board of Township Trustees, is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with Huntington National Bank, Cincinnati, Ohio, as the Escrow Trustee, which Escrow Deposit Agreement shall contain such terms as may be agreed upon by the Township and the Escrow Trustee and as shall be approved by bond counsel.

Section 12.That this Board of Township Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Township Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

Section 13.All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

Section 14.Peck, Shaffer & Williams LLP and Huntington National Bank, are each hereby authorized to subscribe for United States Treasury obligations on behalf of the Township to fund any required escrows.

Section 15.That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Township Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 16.That the Fiscal Officer of this Board be and is hereby directed to forward a copy of this resolution to the County Auditor. This resolution shall become effective at the earliest date permitted by law.

MR. BECK seconded the motion.

MR. BORCHERS reminded the Board the Township has two series of bonds - 2003 and 2004 - which are used to finance different issues. This is one of three resolutions prepared by the Township Bond Counsel to enable these bonds to be re-financed. The reason for the re-financing is due to the difference in interest rates. The current bonds have an average interest rate of 5.26% and new ones would average 1.8%. This could result in a net savings of $270,000.00 over the life of the bonds. These three resolutions are the start of the process and he recommended approval by the Board.

Mr. Borchers advised he has reviewed the possibility on other occasions, but this is the first time that it made sense to re-finance.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION F2012-03

Resolution Authorizing the Issuance of Not to Exceed $1,480,000
Various Purpose Refunding Bonds for the Purpose of Refunding
Outstanding Bonds, the Execution of a Bond Purchase Agreement
Appropriate for the Sale of the Bonds, the Execution of a
Certificate of Award Containing the Final Terms of the Bonds,
the Preparation of an Official Statement, the Execution of an
Escrow Deposit Agreement Securing the Refunded Bonds
and Other Necessary Agreements and Certificates

WHEREAS, the Board of Trustees (the “Board”) of Symmes Township, County of Hamilton, Ohio (the "Township"), has previously issued its $2,520,000 Various Purpose Bonds, (the "2003 Bonds")

dated October 1, 2003, currently outstanding in the amount of $1,615,000; and

WHEREAS, the Township has determined it is in the best interest of the Township to refund a portion of the 2003 Bonds in order to achieve interest savings; and

WHEREAS, the Fiscal Officer of the Township has certified that the maximum maturity of said bonds was twenty (20) years and that the remaining maximum maturity of said refunding securities is eleven (11) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, County of Hamilton, Ohio:

Section 1.That it is necessary to issue and sell bonds (the "Bonds") of Symmes Township, Hamilton County, Ohio in the principal sum of not to exceed $1,480,000 for the purposes of (1) refunding Bonds originally issued for the purposes of paying the costs of (a) acquiring land for a new safety service center; (b) permanently financing outstanding bond anticipation notes originally issued for the purpose of acquiring park land and refunding outstanding notes originally issued for the purpose of constructing the Symmes Station Project; (c) acquiring real estate for township purposes; and (d) constructing public buildings; and (2) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

Section 2.That Bonds of Symmes Township, Ohio shall be issued in said principal sum of not to exceed $1,480,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. Said Bonds shall be issued in denominations of $5,000 or any integral multiple thereof, shall be numbered from 1 (or R-1) upward, shall be dated such date as is set forth in the Certificate of Award and shall bear interest at such rates per annum and at a net interest cost as set forth in the Certificate of Award (but such net interest costs shall not be in excess of five and one half per centum (5.50%) per annum), payable semiannually on each June 1 and December 1 (each an "Interest Payment Date") of each year, commencing December 1, 2012, or such other dates as are determined by the Fiscal Officer, until the principal sum is paid, as set forth in the Certificate of Award, within the limitations set forth in Chapter 133 of the Ohio Revised Code, without further action of the Board of Township Trustees. The Bonds shall be subject to mandatory and optional redemption as set forth in the Certificate of Award.

The Township Administrator is hereby authorized to conduct such sale and to execute and deliver, without further action of the Board of Township Trustees, the Certificate of Award setting forth the final terms of the Bonds. The signature of said officer on the Certificate of Award shall be conclusive evidence that the terms of the Bonds are acceptable to the Township.

Section 3.That said Bonds shall be designated "Various Purpose General Obligation Refunding Bonds" (the "Bonds"). The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form. The Bonds shall bear the signatures of the members of this Board of Township Trustees and of the Fiscal Officer, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of Huntington National Bank, Cincinnati, Ohio, the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized

denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Fiscal Officer and/or the Township Administrator are hereby authorized to enter into a Bond Registrar Agreement with the Paying Agent and Registrar to provide for the payment of principal and interest on the Bonds to the registered holders of the Bonds. Such Bond Registrar Agreement shall be in such form as is approved by bond counsel.

Section 4.That the Fiscal Officer and the Board of Township Trustees are hereby authorized to combine these Bonds with one other bond issue authorized under separate legislation into a single consolidated issue of bonds for purposes of their sale as a single issue. If so combined, the consolidated issue of bonds shall be known as "Various Purpose General Obligation Refunding Bonds, Series 2012"; such consolidated issue shall be dated, mature and bear interest, be executed and be denominated in a manner consistent with the provisions of this ordinance relating to the bonds, authorized herein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code to the respective purposes and funds in accordance with the amount of bonds authorized by this ordinance and the amount of bonds authorized by the ordinance providing for the issuance of not to exceed $820,000 Various Purpose Building Improvement Refunding Bonds.

Section 5.That for the payment of said Bonds and the interest thereon, the full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax 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 said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

Section 6.That said Bonds shall be sold to RBC Capital Markets, LLC, at the purchase price set forth in the Certificate of Award pursuant to the terms of the Bond Purchase Agreement which is hereby authorized and which shall be executed by the Township Administrator without further action of this Board. The proceeds from the sale of said Bonds, including any premium but excepting the accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose and any accrued interest or premium not used for the purpose aforesaid shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law.

Section 7.That the Board covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 7 it is

necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the Township an IRS Form 8038-G in connection with the issuance of the Bonds.

These Bonds are designated as "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

Section 8.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to take any and all actions which may be necessary to issue the Bonds in book-entry-only form or in such form as will render the Bonds eligible for the services of the Depository Trust Company, New York, New York without further action by this Board of Township Trustees, including execution of all documents necessary therefor.

Section 9.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the bonds in form and content satisfactory to them, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rule 15c2-12. The execution of the final official statement by either or both of such officers shall be conclusive evidence of its authorization and approval.

Section 10.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to apply, if he deems it appropriate, for a rating or ratings on the Bonds from such ratings agency or agencies as he deems appropriate. The Fiscal Officer is further authorized to pay the fee for any rating to the extent authorized by law and approved by bond counsel.

Section 11.In connection with the issuance of the Bonds and to serve the rights of the holders of the prior bonds that are refunded hereby, the Fiscal Officer, on behalf of the Board of Township Trustees, is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with Huntington National Bank, Cincinnati, Ohio, as the Escrow Trustee, which Escrow Deposit Agreement shall contain such terms as may be agreed upon by the Township and the Escrow Trustee and as shall be approved by bond counsel.

Section 12.That this Board of Township Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Township Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

Section 13.All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

Section 14.Peck, Shaffer & Williams LLP and Huntington National Bank, are each hereby authorized to subscribe for United States Treasury obligations on behalf of the Township to fund any required escrows.

Section 15.That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Township Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 16.That the Fiscal Officer of this Board be and is hereby directed to forward a

copy of this resolution to the County Auditor. This resolution shall become effective at the earliest date permitted by law.

MR. BRYANT seconded the motion.

MR. BORCHERS advised this is the same discussion.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION F2012-04

Resolution Authorizing the Issuance of Not to Exceed $820,000
Various Purpose Building Improvement Refunding Bonds for the
Purpose of Refunding Outstanding Bonds, The Execution of a
Bond Purchase Agreement Appropriate for the Sale of the Bonds,
the Execution of a Certificate of Award Containing the Final Terms
of the Bonds, the Preparation of an Official Statement,
the Execution of an Escrow Deposit Agreement Securing
the Refunded Bonds and Other Necessary Agreements and Certificates

WHEREAS, the Board of Trustees (the “Board”) of Symmes Township, County of Hamilton, Ohio (the "Township"), has previously issued its $5,530,000 Various Purpose Bonds, (the "2004 Bonds") dated August 15, 2004, currently outstanding in the amount of $1,985,000; and

WHEREAS, the Township has determined it is in the best interest of the Township to refund a portion of the 2004 Bonds in order to achieve interest savings; and

WHEREAS, the Fiscal Officer of the Township has certified that the maximum maturity of said bonds was thirty (30) years and that the remaining maximum maturity of said refunding securities is twenty-one (21) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, County of Hamilton, Ohio:

Section 1.That it is necessary to issue and sell bonds (the "Bonds") of Symmes Township, Hamilton County, Ohio in the principal sum of not to exceed $820,000 for the purposes of (1) refunding Bonds originally issued for the purposes of paying the cost of (a) constructing a new safety service center including planning, and legal costs and (b) constructing a fire station in the Township, including land acquisition, planning, and legal costs; and (2) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Uniform Public Securities Law, including financing costs, the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

Section 2.That Bonds of Symmes Township, Ohio shall be issued in said principal sum of not to exceed $820,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. Said Bonds shall be issued in denominations of $5,000 or any integral multiple thereof, shall be numbered from 1 (or R-1) upward, shall be dated such date as is set forth in the Certificate of Award and shall bear interest at such rates per annum and at a net interest cost as set forth in the Certificate of Award (but such net interest costs shall not be in excess of five per centum (5.00%) per annum), payable semiannually on each June 1 and December 1 (each an "Interest Payment Date") of each year, commencing December 1, 2012, or such other dates as are determined by the Fiscal Officer, until the principal sum is paid, as set forth in the Certificate of Award, within the limitations set forth in Chapter 133 of the Ohio Revised Code, without further action of the Board of Township Trustees. The Bonds shall be subject to mandatory and optional redemption as set forth in the Certificate of Award.

The Township Administrator is hereby authorized to conduct such sale and to execute and deliver, without further action of the Board of Township Trustees, the Certificate of Award setting forth the final terms of the Bonds. The signature of said officer on the Certificate of Award shall be conclusive evidence that the terms of the Bonds are acceptable to the Township.

Section 3.That said Bonds shall be designated "Various Purpose Building Improvement General Obligation Refunding Bonds" (the "Bonds"). The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form. The Bonds shall bear the signatures of the members of this Board of Township Trustees and of the Fiscal Officer, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of Huntington National Bank, Cincinnati, Ohio, the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Fiscal Officer and/or the Township Administrator are hereby authorized to enter into a Bond Registrar Agreement with the Paying Agent and Registrar to provide for the payment of principal and interest on the Bonds to the registered holders of the Bonds. Such Bond Registrar Agreement shall be in such form as is approved by bond counsel.

Section 4.That the Fiscal Officer and the Board of Township Trustees are hereby authorized to combine these Bonds with one other bond issue authorized under separate legislation into a single consolidated issue of bonds for purposes of their sale as a single issue. If so combined, the consolidated issue of bonds shall be known as "Various Purpose General Obligation Refunding Bonds, Series 2012"; such consolidated issue shall be dated, mature and bear interest, be executed and be denominated in a manner consistent with the provisions of this ordinance relating to the bonds, authorized herein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code to the respective purposes and funds in accordance with the amount of bonds authorized by this ordinance and the amount of bonds authorized by the ordinance providing for the issuance of not to exceed $1,480,000 Various Purpose Refunding Bonds.

Section 5.That for the payment of said Bonds and the interest thereon, the full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity. Said tax 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 said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

Section 6.That said Bonds shall be sold to RBC Capital Markets, LLC, at the purchase

price set forth in the Certificate of Award pursuant to the terms of the Bond Purchase Agreement which is hereby authorized and which shall be executed by the Township Administrator without further action of this Board. The proceeds from the sale of said Bonds, including any premium but excepting the accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose and any accrued interest or premium not used for the purpose aforesaid shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law.

Section 7.That the Board covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 7 it is necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the Township an IRS Form 8038-G in connection with the issuance of the Bonds.

These Bonds are designated as "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

Section 8.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to take any and all actions which may be necessary to issue the Bonds in book-entry-only form or in such form as will render the Bonds eligible for the services of the Depository Trust Company, New York, New York without further action by this Board of Township Trustees, including execution of all documents necessary therefor.

Section 9.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the bonds in form and content satisfactory to them, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rule 15c2-12. The execution of the final official statement by either or both of such officers shall be conclusive evidence of its authorization and approval.

Section 10.That the Fiscal Officer and the Board of Township Trustees, or any of them, is hereby authorized to apply, if he deems it appropriate, for a rating or ratings on the Bonds from such ratings agency or agencies as he deems appropriate. The Fiscal Officer is further authorized to pay the fee for any rating to the extent authorized by law and approved by bond counsel.

Section 11.In connection with the issuance of the Bonds and to serve the rights of the holders of the prior bonds that are refunded hereby, the Fiscal Officer, on behalf of the Board of Township Trustees, is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with Huntington National Bank, Cincinnati, Ohio, as the Escrow Trustee, which Escrow Deposit Agreement shall contain such terms as may be agreed upon by the Township and the Escrow Trustee and as shall be approved by bond counsel.

Section 12.That this Board of Township Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Township Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

Section 13.All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

Section 14.Peck, Shaffer & Williams LLP and Huntington National Bank, are each hereby authorized to subscribe for United States Treasury obligations on behalf of the Township to fund any required escrows.

Section 15.That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Township Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 16.That the Fiscal Officer of this Board be and is hereby directed to forward a copy of this resolution to the County Auditor. This resolution shall become effective at the earliest date permitted by law.

MR. BECK seconded the motion.

MR. BORCHERS stated this is the third resolution for the Board's approval.

The roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to approve Change Order #005-005 with Solica Construction in the amount of $9,586.00 to seal all exterior masonry at restroom buildings, columns and memorial wall (excluding granite portion) at Home of the Brave Park with one coat of Prosoco Defacer Eraser. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

Mrs. Leis moved to approve Change Order #004-003 with J. K. Meurer Corporation in the amount of $22,198.00 for application of rejuvenating agent to asphalt roadways, parking areas and paths at Home of the Brave Park. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

Mrs. Leis moved to approve an expenditure in an amount not to exceed $2,000.00 for concrete/asphalt testing on 2012 Resurfacing Project. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MR. BORCHERS requested the Board consider changing the July meeting to July 10 due to a conflict.

MRS. LEIS moved to change the regular July meeting to July 10, 2012 at 7:00 p.m. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to accept the resignation of Brian Christian as part-time seasonal employee effective April 25, 2012. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

Mrs. Leis moved to authorize the Trustees, Fiscal Officer, Administrator and Assistant Fiscal Officer to attend the Ohio Township Association Summer Conference on July 20 in Mason, Ohio. Mr. Bryant seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

EXECUTIVE SESSION

MRS. LEIS moved that the Board enter Executive Session to discuss the employment of a public employee, to consider the sale of real property by competitive bid and to discuss pending and imminent court actions. Mr. Beck seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mrs. Bryant - 'aye'.

The meeting adjourned for Executive Session at 8:55 p.m.

The meeting reconvened from Executive Session at 10:00 p.m.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2012-16
Resolution Providing for the Declaration of Nuisance
for the Property Located at 9024 Symmesknoll Court
and Authorizing All Necessary Steps for the
Abatement of the Nuisance

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized under Ohio Revised Code Section 505.87 to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is further authorized under Ohio revised Code Section 505.86 to remove, repair, or secure buildings or structures that have been declared insecure, unsafe, or structurally defective by the fire department of building department, or buildings or structures that have been declared unfit for human habitation by the board of health; and

WHEREAS, numerous complaints have been received regarding the condition of the property located at 9024 Symmesknoll Court (Parcel 620-0190-0184-00); and

WHEREAS, previous visual inspections have determined that a window or windows in the rear of the structure are broken and/or open, the ground level door is not secured and trash, rubbish and other debris are being stored near the rear exterior of the property; and

WHEREAS, the Hamilton County Public Health Department has declared the property to be a public health nuisance and has determined that the property is in violation of Hamilton County District Board of Health Environmental Sanitation Regulation No. 1-67; and

WHEREAS, Ohio Revised Code Section 3767.02 provides that any person, who uses, occupies, establishes, or conducts a nuisance, or aids or abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined from further maintaining such a nuisance; and

WHEREAS, Ohio Revised Code Section 3767.03 provides that whenever a nuisance exists, the law director of a township that has adopted a limited home rule government under Chapter 504 of the Revised Code may bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1.That the property located at 9024 Symmesknoll Court (Parcel 620-0190-0184-00) is hereby declared to be a nuisance.

Section 2.That the Township Administrator is hereby directed to notify the property owner and known occupants of the property, and any lien holders of record upon said parcel that the property has been declared a nuisance using notice language and manner of notice specified in Revised Code Section 505.87 and this resolution.

Section 3.That if the nuisance is not abated by the owner or occupants, the Township Administrator is authorized to take all necessary steps to abate the nuisance or remove, repair, or secure the building located on the property.

Section 4.That the Township Law Director is hereby authorized to bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it, pursuant to Revised Code Section 3767.03.

Section 5.That the Township Fiscal Officer shall pay out of the Township general fund for all expenses incurred for abating the nuisance and to bill the property owner for said expenses.

Section 6.That the Township Fiscal Officer shall enter upon the tax duplicate for said expenses if not paid within fourteen (14) days from date of billing.

Section 7.That, in addition to the authority granted the Township Law Director, the Township Administrator is directed to monitor said property for ninety (90) days to ensure compliance and is authorized to take appropriate measures to abate future nuisances after written notification is made to the property owner.

MR. BRYANT seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

MRS. LEIS moved to adopt the following resolution:

RESOLUTION G2012-15
Resolution Providing for the Declaration of Nuisance
for the Property Located at 9237 Solon Drive
and Authorizing All Necessary Steps for the
Abatement of the Nuisance

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized under Ohio Revised Code Section 505.87 to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is further authorized under Ohio revised Code Section 505.86 to remove, repair, or secure buildings or structures that have been declared insecure, unsafe, or structurally defective by the fire department of building department, or buildings or structures that have been declared unfit for human habitation by the board of health; and

WHEREAS, numerous complaints have been received regarding the condition of the property located at 9237 Solon Drive (Parcel 620-0170-0107-00); and

WHEREAS, previous visual inspections of said property revealed that the property owner and/or residents were storing garbage, refuse, or other debris on the property; and

WHEREAS, the Hamilton County Public Health Department has declared the property to be a public health nuisance and has further condemned the property by declaring it unfit for human habitation; and

WHEREAS, Ohio Revised Code Section 3767.02 provides that any person, who uses, occupies, establishes, or conducts a nuisance, or aids or abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that
owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined from further maintaining such a nuisance; and

WHEREAS, Ohio Revised Code Section 3767.03 provides that whenever a nuisance exists, the law director of a township that has adopted a limited home rule government under Chapter 504 of the Revised Code may bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1.That the property located at 9237 Solon Drive (Parcel 620-0170-0107-00) is hereby declared to be a nuisance.

Section 2.That the Township Administrator is hereby directed to notify the property owner and known occupants of the property, and any lien holders of record upon said parcel that the property has been declared a nuisance using notice language and manner of notice specified in Revised Code Section 505.87 and this resolution.

Section 3.That if the nuisance is not abated by the owner or occupants, the Township Administrator is authorized to take all necessary steps to abate the nuisance or remove, repair, or secure the building located on the property.

Section 4.That the Township Law Director is hereby authorized to bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it, pursuant to Revised Code Section 3767.03.

Section 5.That the Township Fiscal Officer shall pay out of the Township general fund for all expenses incurred for abating the nuisance and to bill the property owner for said expenses.

Section 6.That the Township Fiscal Officer shall enter upon the tax duplicate for said expenses if not paid within fourteen (14) days from date of billing.

Section 7.That, in addition to the authority granted the Township Law Director, the Township Administrator is directed to monitor said property for ninety (90) days to ensure compliance and is authorized to take appropriate measures to abate future nuisances after written notification is made to the property owner.

MR. BECK seconded the motion and the roll call vote was as follows: Mrs. Leis - 'aye'; Mr. Beck - 'aye'; Mr. Bryant - 'aye'.

The meeting adjourned at 10:03 p.m.