

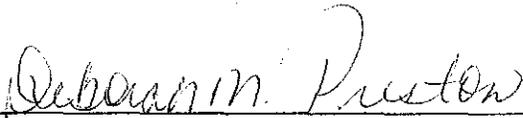
RESOLUTION #1-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, Bryan Ramage has been a part-time firefighter/EMT since June 25, 2010; and

Whereas, Bryan has decided to resign his position with the fire division due to the time commitments within his personal life; and

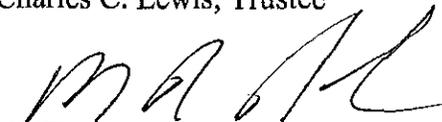
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Bryan Ramage, and termination of his employment is effective January 11, 2011.



Deborah M. Preston, Trustee



Charles C. Lewis, Trustee



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: January 11, 2011
GSR:mrm

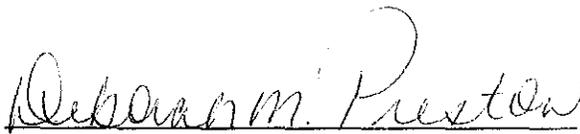
RESOLUTION #2-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

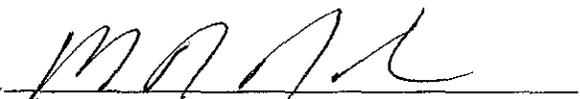
Whereas, Jeff Prass has been a part-time firefighter/paramedic since February 4, 2004; and

Whereas, Jeff has decided to resign his position with the fire division due to personal reasons; and

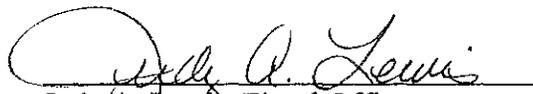
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Jeff Prass, and termination of his employment is effective January 14, 2011.


Deborah M. Preston, Trustee


Charles C. Lewis, Trustee


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 11, 2011
GSR:mrm

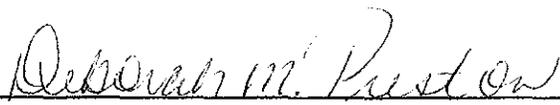
RESOLUTION #3-2011

**RESOLUTION TO ACCEPT THE RESIGNATION OF A
BOARD OF ZONING APPEALS MEMBER**

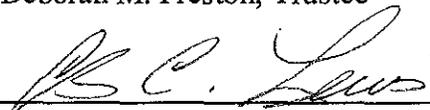
Whereas, Ann-Lisa Rucker has served on the Miami Township Board of Zoning Appeals since October 25, 2005; and

Whereas, Ann-Lisa Rucker has given notice that she will resign her position, effective December 28, 2010; and

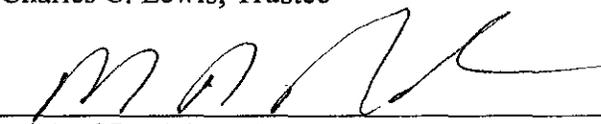
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Ann-Lisa Rucker, and termination of her appointment on the Miami Township Board of Zoning Appeals is effective December 28, 2010.



Deborah M. Preston, Trustee

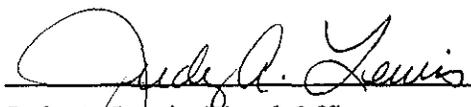


Charles C. Lewis, Trustee



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed January 11, 2011
GSR:mrm

RESOLUTION #4-2011

**RESOLUTION TO AUTHORIZE THE POLICE CHIEF TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING FOR PARTICIPATION IN
THE REGIONAL AGENCIES NARCOTICS AND GUN ENFORCEMENT
(RANGE) TASK FORCE**

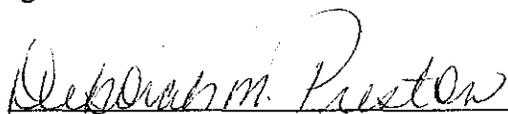
Whereas, the Chief of Police has made a recommendation that the Miami Township Police Department participate in the Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force; and

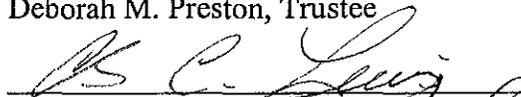
Whereas, there is a recognition that criminal activity is a threat to every community and that criminal offenders frequently cross political subdivision boundaries and that the combined effort of law enforcement agencies is an effective method of investigating criminal acts and apprehending those committing criminal acts; and

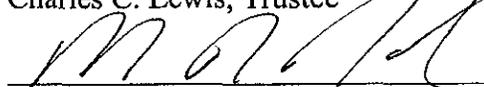
Whereas, participation in the Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force requires the signing of a Memorandum of Understanding; and

Whereas, the Memorandum of Understanding has been reviewed and approved by the Montgomery County Prosecutor's Office on behalf of Miami Township; and

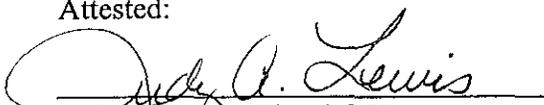
Therefore Be It Resolved, the Miami Township Board of Trustees approves the Police Department's participation in the Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force and authorizes the Chief of police to sign the Memorandum of Understanding.


Deborah M. Preston, Trustee


Charles C. Lewis, Trustee


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: January 11, 2011

GSR:mrm

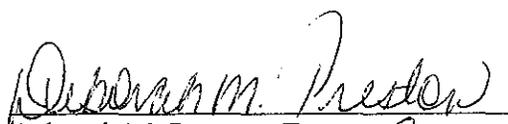
RESOLUTION #5-2011

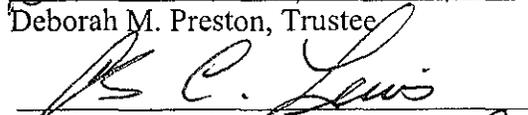
**RESOLUTION TO RETAIN MOOTS, CARTER & HOGAN,
AS LEGAL COUNSEL TO ADVISE & REPRESENT MIAMI TOWNSHIP,
IN ANNEXATION MATTERS**

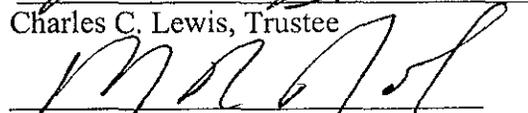
Whereas, Miami Township Board of Trustees met in regular session on January 11, 2011;
and

Whereas, the Board of Trustees of Miami Township deems it necessary and advisable to
employ legal counsel to advise and represent the township on legal matters
relating to annexation; and

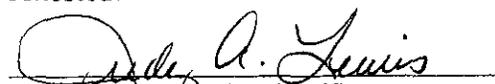
Therefore Be It Resolved, the Miami Township Board of Trustees hires the firm of Moots,
Carter & Hogan, a Legal Professional Association, be retained as Legal Counsel
to advise and represent Miami Township on legal matters relating to annexation
for the years 2010 and 2011. Representation will be paid for as follows: \$210.00
per hour senior attorney time, \$175.00 per hour associate attorney time, and
\$75.00 per hour law clerk or legal assistant time. Rate is fixed for six months but
subject to increase thereafter, with a maximum increase of 6% every six months;
time spent on travel and telephone calls is considered billable time. Court costs
and expenses will be paid by the Township. Fees will be paid monthly upon
receipt of the bill. The Board of Trustees will execute a Retainer Agreement
reciting these terms.


Deborah M. Preston, Trustee


Charles C. Lewis, Trustee


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 11, 2011
GSR:mfm

RESOLUTION #6-2011

**RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF OHIO
COOPERATIVE PURCHASING PROGRAM**

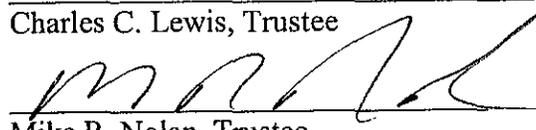
Whereas, Ohio's Cooperative Purchasing Act provides the opportunity for townships to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and materials; and

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

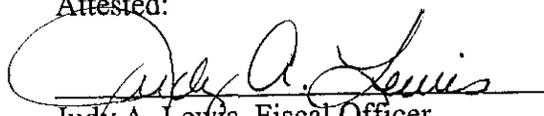
- Section 1. That all Miami Township departments hereby request authority in the name of the Miami Township Board of Trustees to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and materials pursuant to Ohio Revised Code Section 125.04.
- Section 2. That all Miami Township departments are hereby authorized to agree in the name of the Miami Township Board of Trustees to be bound by all terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the Miami Township Board of Trustees participation in the contract. Further, that all Miami Township departments do hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.
- Section 3. That all Miami Township departments are hereby authorized to agree in the name of the Miami Township Board of Trustees to directly pay vendors, under each such state contract in which it participates for items it receives pursuant to the contract, all Miami Township departments do hereby agree to directly pay vendors.


Deborah M. Preston, Trustee

Charles C. Lewis, Trustee


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: January 11, 2011

GSR:mrm

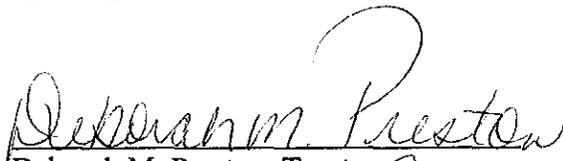
RESOLUTION #7-2011

RESOLUTION TO AUTHORIZE PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM

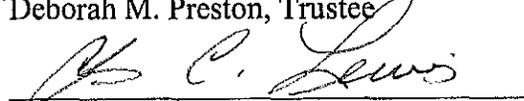
Whereas, Section 5513.01 (B) of the Ohio Revised Code authorizes local government agencies to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies or other articles; and

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

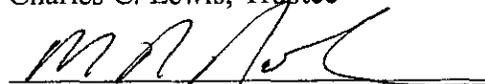
- Section 1. The Public Works Director hereby requests authority, in the name of the Miami Township Board of Trustees, to participate in ODOT contracts for the purchase of machinery, materials, supplies or other articles the Department has entered into, pursuant to ORC Section 5513.01 (B).
- Section 2. The Public Works Director is hereby authorized to agree in the name of the Miami Township Board of Trustees to be bound by all terms and conditions as the Director of Transportation prescribes.
- Section 3. The Public Works Director is hereby authorized to agree, in the name of the Miami Township Board of Trustees, to directly pay vendors, under each such contract of ODOT in which Miami Township participates, for items it receives pursuant to the contract.
- Section 4. The Miami Township Board of Trustees agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract, pursuant to ORC Section 5513.01(B).



Deborah M. Preston, Trustee



Charles C. Lewis, Trustee



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 11, 2011

GSR:mrm

RESOLUTION #9-2011

**A RESOLUTION OF SUPPORT FOR A BUS SHELTER AND
AUTHORIZATION FOR THE TOWNSHIP ADMINISTRATOR TO
EXECUTE AN AGREEMENT WITH THE CITY OF WEST
CARROLLTON**

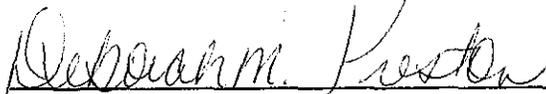
Whereas, the City of West of Carrollton has requested the support of Miami Township to construct a bus shelter, pad, sidewalk and landscaping along State Route 741 within the jurisdiction of Miami Township as shown on Exhibit A; and

Whereas, the State of Ohio controls the road right of way of State Route 741; and

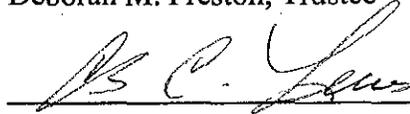
Whereas, the City of West Carrollton is agreeing to incur all construction, permitting, and future maintenance costs and responsibilities for the installation of a bus shelter, pad, sidewalk, and landscaping; and

Whereas, the City of West Carrollton intends to apply for Community Grant funding through the Greater Dayton Regional Transit Authority and is requesting the support of Miami Township; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees supports the efforts of the City of West Carrollton and authorizes the Township Administrator to sign and execute an agreement concerning construction, permitting, and maintenance responsibilities.



Deborah M. Preston, Trustee



Charles C. Lewis, Trustee



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 11, 2011

GSR:mrm

RESOLUTION #8-2011

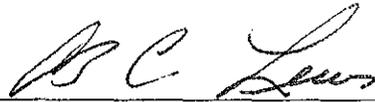
RESOLUTION TO APPROVE A PAY INCREASE FOR A FIRE CHIEF

Whereas, Matthew Queen has served successfully during his probationary period as Fire Chief since January 26, 2010; and

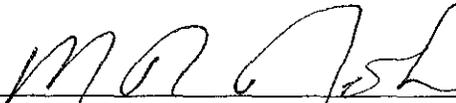
Whereas, a performance evaluation has been conducted by the Assistant Township Administrator and his evaluation and recommendation have been completed; and

Whereas, the Miami Township Board of Trustees has reviewed the evaluation and recommendation of the Assistant Township Administrator; and

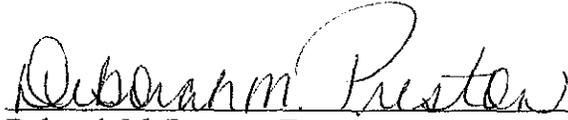
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Matthew Queen be taken off of probationary status and authorizes a salary increase to an annual rate of pay of \$91,979.94 effective January 26, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 25, 2011

GSR:seb

RESOLUTION #10-2011

**RESOLUTION TO APPROVE A PAY INCREASE FOR
A STREET SUPERVISOR**

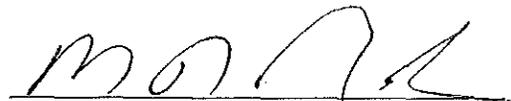
Whereas, Ron Robinson has successfully served four (4) years as Street Supervisor for the Public Works Department; and

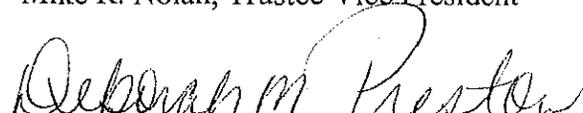
Whereas, a performance evaluation has been conducted by the Public Works Director, and an evaluation and recommendation has been completed; and

Whereas, the Miami Township Board of Trustees has reviewed the evaluation and the recommendation of the Public Works Director; and

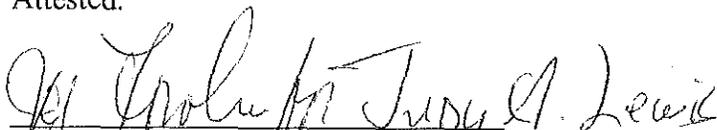
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Ron Robinson, Pay Grade E, to an annual rate of pay of \$60,652.80, effective February 04, 2011.


Charles C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: January 25, 2010

GSR:mrm

RESOLUTION #11-2011

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE FINAL
DEVELOPMENT PLAN FOR ZONING CASE #293-96, FOR LANDS
ZONED "PD-2", PLANNED OFFICE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, January 25, 2011; and

Whereas, Zoning Case #293-96, filed by Suites at Walnut Creek, Ltd., proposes adoption of a major modification to the final development plan for lands zoned "PD-2", Planned Office; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan under Zoning Case #293-96 and UPHOLDS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

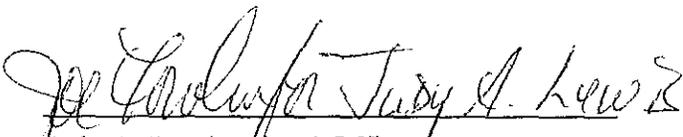


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: January 25, 2011
GSR:mrm

RESOLUTION #12-2011

**RESOLUTION TO AWARD A BID FOR THE
2011 MOWING SERVICES PROGRAM**

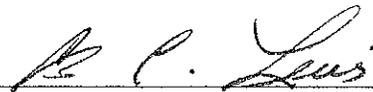
Whereas, there is a need for a mowing and landscape services for Township owned parks and grounds for the 2011 season; and

Whereas, a competitive bid process was conducted in 2010 to solicit sealed bids with Louderback Family Investments, Inc., dba Professional Property Maintenance providing the lowest and best bid for the mowing and landscape services; and

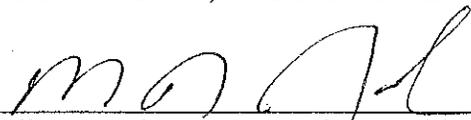
Whereas, the mowing services contract does contain language to provide the Township the option to retain the services of Professional Property Maintenance for subsequent years if mutually agreed upon by both parties; and

Whereas, the Public Works Director has reviewed the 2011 bid estimate by Professional Property Maintenance and has given his recommendation; and

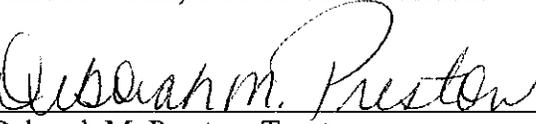
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with Louderback Family Investments, Inc., dba Professional Property Maintenance, 3545 S Dayton Lakeview, New Carlisle, Ohio, 45344, for mowing services at a total estimated cost of \$38,324.00, and landscape services at a cost not to exceed \$2,100.00, and to execute all the necessary documents to secure these services.



Charles C. Lewis, Trustee President

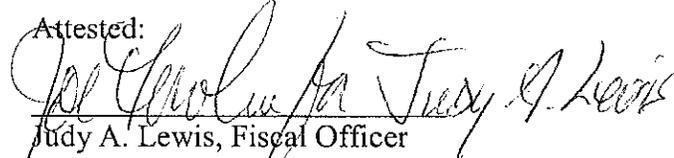


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 25, 2011

GSR:mrm

RESOLUTION #13-2011

**A RESOLUTION AUTHORIZING RELEASE AND ADVERTISEMENT OF
A REQUEST FOR QUALIFICATIONS (RFQ) TO SELECT A CERTIFIED
PROFESSIONAL**

Whereas, Miami Township has submitted an application on behalf of Dayton Christian Schools through the Clean Ohio Assistance Fund (COAF) to support asbestos abatement and demolition activities at the Former NCR Training Facility at 9391 Washington Church Road in Miami Township; and

Whereas, the State of Ohio Department of Development has recommended approval of the COAF application; and

Whereas, Miami Township desires to move expeditiously with selecting a Certified Professional to lead the project upon final approval of the COAF application by the State Controlling Board and execution of the COAF grant agreement; and

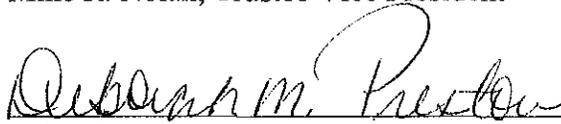
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator to release and advertise an RFQ for the purposes of selecting a Qualified Firm and Certified Professional to provide oversight and management of the COAF project at the Former NCR Training Facility.



Charles C. Lewis, Trustee President

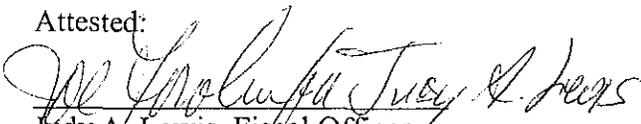


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 25, 2011

GSR:mrm

RESOLUTION #14-2011

**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

Whereas, there is a vacancy to be filled in the Planning and Zoning Department; and

Whereas, Greg Hanahan, Township Administrator, is making his recommendation to hire the following individual as a part-time employee:

Thomas Scott \$14.21 / per hour

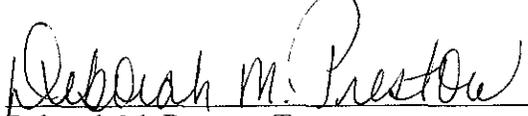
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Planning and Zoning Department, effective January 31, 2011.



Charles C. Lewis, Trustee President

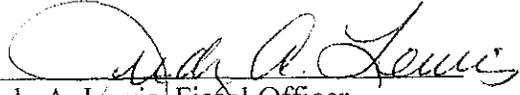


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 8, 2011
GSR:seb

RESOLUTION #15-2011

RESOLUTION TO APPROVE A CONTRACT FOR TRAINING OF A NEW EMPLOYEE

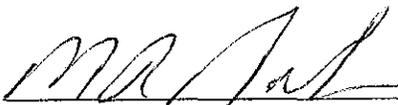
Whereas, the Board of Trustees, based on the recommendation of the Assistant Township Administrator, desires to provide for training of a new zoning inspector; and

Whereas, Wayne Woodall has the experience and training to perform the necessary duties, and has agreed to perform those duties at the rate of \$17.68 per hour, not to exceed a total of 40 hours; and

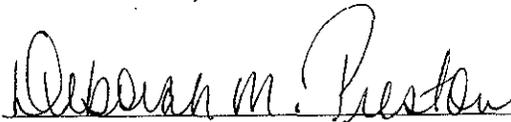
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes that Wayne Woodall be contracted to provide training services, as needed at a rate of \$17.68 per hour, not to exceed 40 hours during the calendar year 2011.



Charles C Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 8, 2011

GSR:mrm

RESOLUTION #16-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

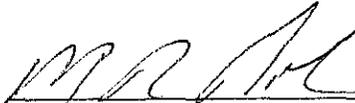
Whereas, Mike Mahle has been a part-time firefighter/EMT since August 16, 1995; and

Whereas, Mike has decided to resign his position with the fire division; and

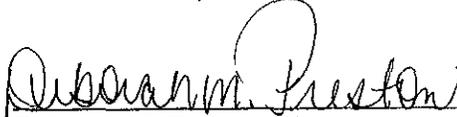
Therefore **Be It Resolved**, the Miami Township Board of Trustees accepts the letter of resignation from Mike Mahle, and termination of his employment is effective February 8, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 8, 2011

GSR:mmm

RESOLUTION #17-2011

**RESOLUTION TO ACCEPT A LETTER OF INTENT TO RETIRE
FROM A PUBLIC WORKS EMPLOYEE**

Whereas, Rod Bell has been an employee with the Public Works Department since March 4, 1978; and

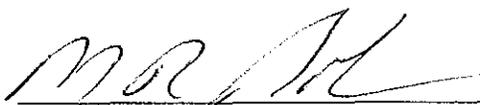
Whereas, Rod Bell, after thirty three (33) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Rod Bell's last day of employment will be at the end of his work shift on Friday, February 25, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Rod Bell, and termination of his employment to be effective at 3:30 pm on Friday, February 25, 2011.



Charles C. Lewis, Trustee President

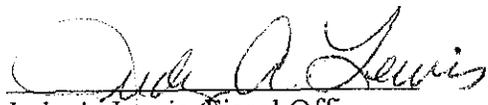


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 8, 2011

GSR:mmm

RESOLUTION #18-2011

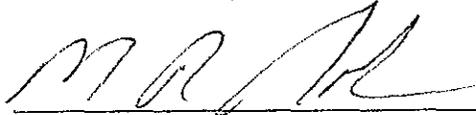
**RESOLUTION TO DECLARE CERTAIN FIRE DIVISION AS SURPLUS
PROPERTY TO BE DISPOSED OF**

- Whereas, the Ohio Revised Code, Section 5050.10 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 Miami Township Fire Division has a 1963 Peter-Pirsch fire engine which was refurbished in 1997. Since its refurbishment, it has been taken out of service and is no longer used Due to its age and lack of appropriate safety features, it is now beyond its useful purposes; and

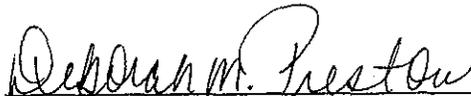
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the piece of fire division equipment as surplus property to be disposed of, sold, or traded-in and removed from the Fire Division inventory.



Charles C. Lewis, Trustee President

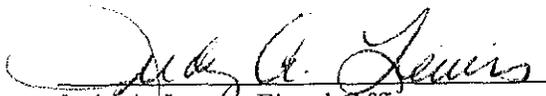


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed February 8, 2011

GSR:mrm

RESOLUTION #19-2011

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

Whereas, Miami Township is desirous of retaining the services of Montgomery County Records Commission & Microfilming Board for microfilming certain documents and storage of certain microfilms; and

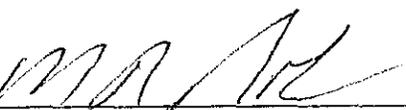
Whereas, Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and

Whereas, Miami Township is satisfied with said services and the Assistant Township Administrator is recommending the signing of an agreement with Montgomery County Records Commission & Microfilming Board; and

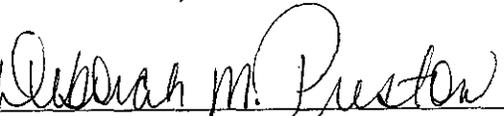
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Montgomery County Records Commission & Microfilming Board, in the amount of \$2,500, from January 1, 2011 through December 31, 2011.



Charles C Lewis, Trustee President

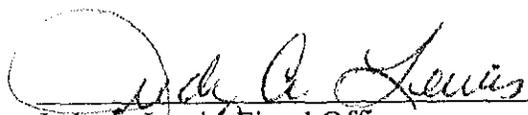


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 8, 2011
GSR:mrm

RESOLUTION #20-2011

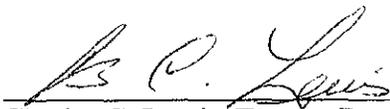
**RESOLUTION TO ACCEPT A LETTER OF INTENT TO RETIRE
FROM A FIRE DIVISION EMPLOYEE**

Whereas, Lee Hieronymus has been an employee with the Fire Division since June 13, 1968; and

Whereas, Lee Hieronymus, after forty-three (43) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Lee Hieronymus' last day of employment will be April 30, 2011; and

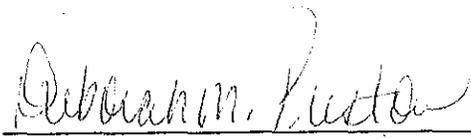
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Lee Hieronymus, and termination of his employment to be effective on April 30, 2011.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 22, 2011
GSR:mrm

RESOLUTION #21-2011

**RESOLUTION TO ACCEPT THE SERVICE RETIREMENT OF
SERGEANT JERRY T. ADAMS**

- Whereas,** Sergeant Jerry T. Adams has served the Miami Township Police Department faithfully and in good stead; and
- Whereas,** Sergeant Jerry T. Adams began serving the residents and business community of Miami Township on January 25, 1994; and
- Whereas,** Sergeant Jerry T. Adams has given notice that he will retire from his position with the Miami Township Police Department effective at the close of business on February 28, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the service retirement of Sergeant Jerry T. Adams at the close of business on February 28, 2011.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #22-2011

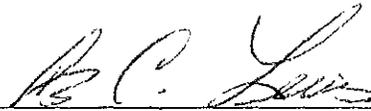
RESOLUTION TO APPOINT A POLICE OFFICER

Whereas, there is a need to appoint a Police Officer; and

Whereas, the approved recruitment and selection process was followed; and

Whereas, the Chief of Police has made his recommendation; and

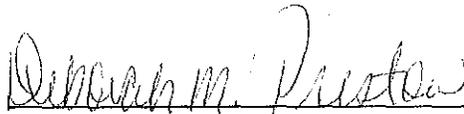
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Eric C. Wooddell to the position of Police Officer, at a starting rate of \$22.28 per hour, effective February 28, 2011.



Charles C. Lewis, Trustee President

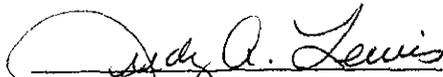
absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #23-2011

RESOLUTION TO APPOINT A POLICE OFFICER

Whereas, there is a need to appoint a Police Officer; and

Whereas, the approved recruitment and selection process was followed; and

Whereas, the Chief of Police has made his recommendation; and

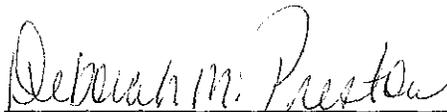
Therefore Be It Resolved, the Miami Township Board of Trustees appoints James D. Swearingen to the position of Police Officer, at a starting rate of \$22.28 per hour, effective February 28, 2011.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #24-2011

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
ZONING CASE #233-89, FOR LANDS ZONED "PD-5", PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, February 22, 2011; and

Whereas, Zoning Case #233-89, filed by JAW Holdings LLC, proposes adoption of a final development plan for Phase One of Walker Way and lands zoned "PD-5", Planned Mixed-Use; and

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

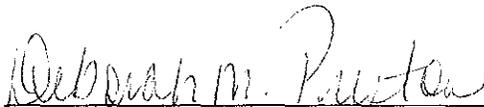
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVE the Final Development Plan for Phase One of Walker Way under Zoning Case #233-89 and UPHOLD the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

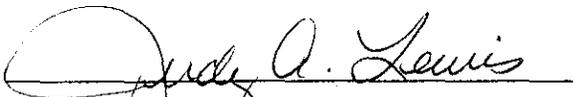
absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #25-2011

**RESOLUTION TO COMMIT THE TOWNSHIP TO THE
MONTGOMERY COUNTY ENGINEER'S
ROAD STRIPING PROGRAM**

Whereas, Miami Township requests the Board of County Commissioners approve assistance through the Partnership Pool Program for improving and maintaining Township roads; and

Whereas, the Township authorizes the County Engineer and/or his agents to come upon Township roadways for the purposes herein stated and upon completion of this purpose to bill the Township all costs incurred; and

Whereas, Miami Township is to receive \$8,750.00 of Township aid this year from the Montgomery County Engineer's Office; and

Whereas, the Public Works Director has made the request that this money be spent on Miami Township's 2011 Road Striping Program, at a cost estimated at \$10,000.00; and

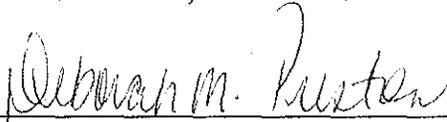
Therefore Be It Resolved, the \$8,750.00 in County aid is to be used to pay part of this cost, leaving an estimated cost of \$1,250.00, for Miami Township to pay.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 22, 2011
GSR:seb

RESOLUTION #26-2011

RESOLUTION TO AUTHORIZE EXECUTION OF A CLEAN OHIO ASSISTANCE FUND GRANT AGREEMENT & RELATED DOCUMENTS

Whereas, the Miami Township Board of Trustees has sought financial assistance from the State of Ohio through the Clean Ohio Assistance Fund in order to facilitate environmental remediation and demolition at the Former NCR Training Facility at 9391 Washington Church Road in Miami Township; and

Whereas, the State of Ohio has awarded Miami Township a grant in the amount of \$379,516.00 to conduct the environmental work and demolition activities; and

Whereas, the Miami Township Board of Trustees desires to accept the funds awarded through the Clean Ohio Assistance Fund program and to execute a grant agreement with the State of Ohio (attached); and

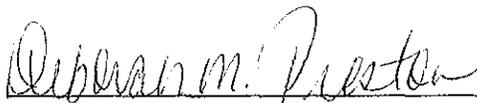
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute an agreement with the State of Ohio to secure the funds awarded through the Clean Ohio Assistance Fund program and to execute such other documents as may be required by the State of Ohio in conjunction with the COAF grant program.



Charles C. Lewis, Trustee President

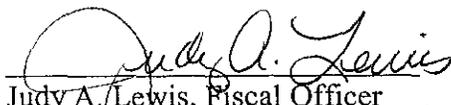
absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #27-2011

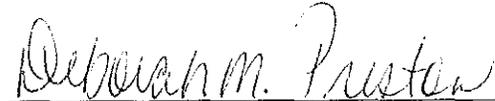
**RESOLUTION TO HIRE SRW ENVIRONMENTAL SERVICES
TO PROVIDE PROFESSIONAL SERVICES RELATED TO A CLEAN OHIO
ASSISTANCE FUND PROJECT**

- Whereas,** the Miami Township Board of Trustees has determined the need to hire a Certified Professional to provide project oversight and management services for a Clean Ohio Assistance Fund (COAF) project, located at the Former NCR Training Facility; and
- Whereas,** Miami Township has properly solicited "Request For Qualifications" (RFQ) proposals to provide project oversight and management, from qualified firms; and
- Whereas,** Miami Township has thoroughly reviewed the four (4) RFQ's that were submitted; and
- Whereas,** SRW Environmental Services, Inc. was determined to be the most qualified firm to provide project oversight and management services per the needs of Miami Township; and

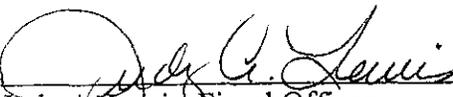
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to enter into a contract with SRW Environmental Services, Inc. to develop bid specifications, provide project oversight, project management, and other related services for the COAF project at the Former NCR Training Facility, with the Certified Professional Services not to exceed a cost of \$84,890.00, subject to the hourly and itemized terms of the attached letter of proposal (Exhibit A). The Township Administrator may approve up to a 10% increase in the amount shown above per the contingency provisions of the COAF grant award and provided such increase does not impair the ability to obtain complete reimbursement for all remaining reimbursable expenditures under the program.


Charles C. Lewis, Trustee President

absent
Mike R. Nolan, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 22, 2011
GSR:mrm

RESOLUTION #28-2011

**RESOLUTION TO AUTHORIZE SUBMISSION OF APPLICATIONS
NECESSARY FOR DEVELOPMENT OF TOWNSHIP PROPERTY AT
WOOD ROAD AND AUSTIN BOULEVARD**

Whereas, the Miami Township Board of Trustees desires to develop property owned by Miami Township at the southwest quadrant of the Austin Boulevard Interchange on Interstate 75 and more particularly described as Parcel K45 02605 0053 and K45 02605 0015 and such future parcels as may be divided from these existing parcels; and

Whereas, the proposed development of the subject parcels requires submittal of certain applications to the Zoning Commission, Montgomery County, and various utilities to obtain zoning, building, platting, and other related approvals; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to submit and execute all applications on behalf of the Board of Trustees necessary to obtain the desired approvals for development of the township parcels at the southwest quadrant of the Austin Boulevard Interchange.



Charles C. Lewis, Trustee President

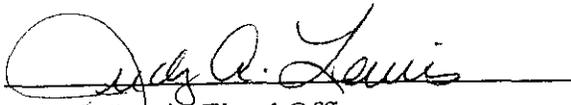


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

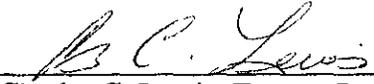
RESOLUTION #29-2011

**A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A SUBDIVIDER'S CONTRACT FOR INSTALLATION OF
SANITARY SEWER AND/OR WATER MAINS**

Whereas, Miami Township is in the process of developing a new public works facility and fire station on land to be acquired from the Miamisburg City School District Board of Education on Wood Road; and

Whereas, Montgomery County Water Services requires execution of a subdivider's contract for installation of sanitary sewer and/or water mains (attached); and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, to sign and execute a subdivider's contract with Montgomery County Water Services for the installation of sanitary sewer and/or water mains related to the development of the public works facility and fire station to be located on Wood Road.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 22, 2011
GSR:mrm

RESOLUTION #30-2011

**RESOLUTION TO DECLARE CERTAIN FIRE DIVISION AS SURPLUS
PROPERTY TO BE DISPOSED OF**

Whereas, the Ohio Revised Code, Section 5050.10 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 Miami Township Fire Division has a 1981 Grumman Rescue Boat with Motor that was damaged during a training evolution. Due to its age and lack of available parts, it is now beyond its useful purposes; and

Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the piece of fire division equipment as surplus property to be disposed of, sold, or traded-in and removed from the Fire Division inventory.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 22, 2011

GSR:mrm

RESOLUTION #33-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MAINTENANCE AGREEMENT WITH P&R
COMMUNICATIONS FOR MAINTENANCE OF COMMUNICATION
EQUIPMENT**

- Whereas,** the Miami Township Police Department is desirous of entering into a maintenance agreement with P&R Communications for maintenance of police department communication equipment; and
- Whereas,** Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement if the amount is under the statutory bidding requirement; and
- Whereas,** the Chief of Police is satisfied that the maintenance services provided by P&R Communications will meet the needs of the police department and that P&R Communications will be able to provide any needed parts and repair in a timely manner since they are a sole source provider; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a maintenance agreement for communication equipment from P&R Communications from January 1, 2011 through December 31, 2011 at a cost not to exceed \$15,481.20.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 22, 2011
GSR:mrm

RESOLUTION #34-2011

**RESOLUTION TO SUPPORT THE CONTINUATION OF TAX
ABATEMENT WITHIN THE ENTERPRISE ZONE FOR OBERER
DEVELOPMENT COMPANY, 9080 SPRINGBORO PIKE**

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, Oberer Development Company established a new 15,000 square foot addition 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 met on March 16, 2011 and determined that Oberer Development Company has exceeded its promised investment in the community, and the Council recommends continuation of Oberer's tax abatement; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the continuation of the Ohio Enterprise Zone Agreement, approved by Resolution #213-2001, with all the terms and conditions as stated therein with Montgomery County and Oberer Development Company, and to continue the agreement with Oberer Development Company.



Charles C. Lewis, Trustee President

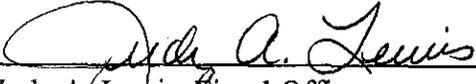


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 22, 2011
GSR:mrm

RESOLUTION #35-2011

**RESOLUTION TO PURCHASE PORTABLE RADIOS, MOBILE RADIOS
AND ACCESSORIES FOR THE FIRE DEPARTMENT**

Whereas, Miami Township has qualified to purchase under Motorola Government Pricing, and has the opportunity to realize some significant savings through a promotional program; and

Whereas, the Montgomery County radio system is built upon proprietary equipment and technology from Motorola, and

Whereas, the Fire Chief is recommending the purchase of 25 portable radios, 22 mobile radios and all necessary accessories to be utilized in the fire division; and

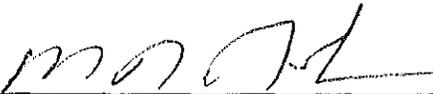
Whereas, the Board of Trustees approved the addition of the necessary radio equipment and installation during the 2011 budget process under Capital Improvement; and

Whereas, the funds necessary to purchase the listed radio equipment, all accessories and installation costs will be secured through the Ohio Township Association Master Lease Program; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the purchase of portable radios, mobile radios and all necessary accessories, under the government pricing from Motorola and P&R Communications for an amount not to exceed \$178,517.43.



Charles C. Lewis, Trustee President

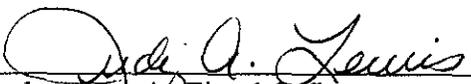


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



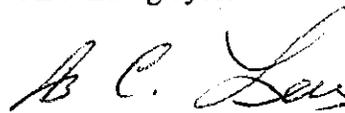
Judy A. Lewis, Fiscal Officer
Passed: March 17, 2011
GSR:mmm

RESOLUTION #36-2011

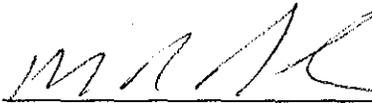
**RESOLUTION TO AUTHORIZE THE TOWNSHIP'S PARTICIPATION
IN AN ED/GE APPLICATION**

- Whereas,** the Miami Township Board of Trustees has determined a need exists to assist Crown Partners, in the relocation to a substantially larger facility located in Miami Township and Montgomery County; and
- Whereas,** Crown Partners expects to increase its current forty-four (44) employees to nearly one hundred forty nine (149) within 3 years after relocating; and
- Whereas,** Funds for moving, remodeling, furniture and fixtures will be borne completely by Crown Partners; and
- Whereas,** additional funds are needed to assist in the acquisition of the property; and
- Whereas,** the Montgomery County ED/GE program has been identified as an appropriate source of grant monies to pay a portion of this expense; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to submit an ED/GE application of \$200,000 for the Primary Economic Development Fund 2011 ED/GE funding cycle.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: March 22, 2011

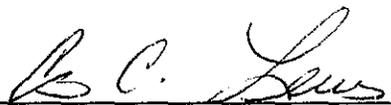
GSR:mrm

RESOLUTION #37-2011

RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE A COMBINATION BID AGREEMENT WITH OBERER THOMPSON COMPANY FOR CONSTRUCTION OF A NEW FIRE STATION AND PUBLIC WORKS FACILITY

- Whereas,** Miami Township has completed a master planning process utilizing the services of CR architecture + design for both the Fire Division and Public Works Department, and is recommending construction of a joint Fire/Public Works Facility campus on Wood Road, Miami Township; and
- Whereas,** CR architecture + design has designed a Fire Station and Public Works Facility to serve the needs of Miami Township for the next 20 years, as determined in the master planning process; and
- Whereas,** Miami Township has competitively bid for the construction of a new Fire Station and Public Works Facility, in accordance with the sealed bid requirements of the Ohio Revised Code; and
- Whereas,** Montgomery County Assistant Prosecuting Attorney, Douglas Trout has opined Miami Township may use the combination bid method of award for construction of the Fire Station/Public Works Facility; and
- Whereas,** **Oberer Thompson Company** has submitted a low combination bid of \$8,906,085.00 including alternates for general construction, and said bid has been reviewed by CR architecture + design and found to be complete and in accordance with all requirements of the specifications; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure a contract with **Oberer Thompson, Inc.** for general construction of a new Fire Station and Public Works Facility at a cost of \$8,906,085.00 with the final cost to be subject to additions and deletions as determined during the construction period.

SIGNATURE PAGE FOR RESOLUTION #37-2011 ONLY



Charles C. Lewis, Trustee President

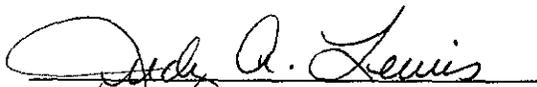


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: March 22, 2011

GAH:mrm

RESOLUTION #38-2011

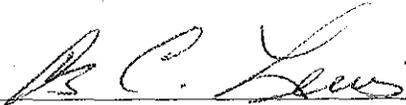
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
ZONING CASE #233-89, FOR LANDS ZONED "PD-5", PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, April 26, 2011; and

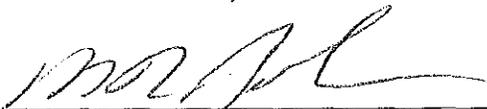
Whereas, Zoning Case #233-89, filed by JAW Holdings LLC, proposes adoption of a final development plan for Lot #1 of the Walker Way development and lands zoned "PD-5", Planned Mixed-Use; and

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

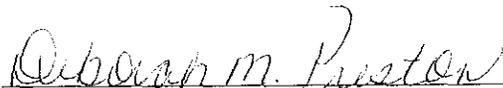
Therefore Be It Resolved, the Miami Township Board of Trustees approves the Final Development Plan for Lot #1 of the Walker Way development under Zoning Case #233-89 and upholds the Zoning Commission recommendation, with the stipulation that the Miami Township logo is placed on the identification sign.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 26, 2011
GSR:mrm

RESOLUTION #39-2011

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO A
PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR ZONING
CASE #144-84, FOR LANDS ZONED "PD-3", PLANNED BUSINESS**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, April 26, 2011; and

Whereas, Zoning Case #144-84, filed by Ferguson Construction Company and Barbara Gilmore as receiver for Dell Craaybeek, proposes adoption of a major modification to a preliminary and final development plan for lands zoned "PD-3", Planned Business; and

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

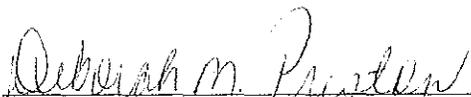
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary and Final Development Plan under Zoning Case #144-84 and APPROVES the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

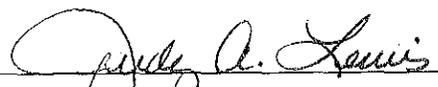


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 26, 2011
GSR:mrm

RESOLUTION #40-2011

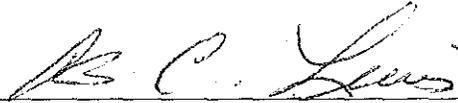
**RESOLUTION TO AUTHORIZE EXECUTION OF A ROADWORK
DEVELOPMENT (629) GRANT AGREEMENT**

Whereas, the State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of developing infrastructure to support new job creation; and

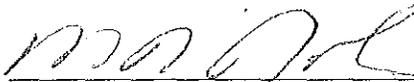
Whereas, the Board desires to participate by receiving financial assistance under the Ohio Roadwork Development (629) Grant program to construct roadwork and related infrastructure in support of the Optivus Research and Development Facility; and

Whereas, the State of Ohio, Department of Development, through its Ohio Roadwork Development (629) Grant has awarded Miami Township \$1,053,128.00 in grant assistance for the loop road project at the Austin Advanced Technology Research Park; and

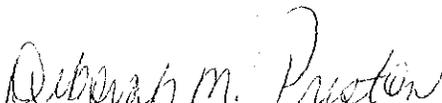
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute an agreement with the State of Ohio to secure the funds awarded through the Roadwork Development Grant program and to execute such other documents as may be required by the State of Ohio in conjunction with the Roadwork Development Grant.



Charles C. Lewis, Trustee President

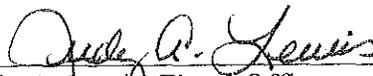


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 26, 2011
GSR:mrm

RESOLUTION #41-2011

RESOLUTION TO APPROVE 2011 PAY SCHEDULE #2

Whereas, the Board of Trustees has created a Pay Schedule to ensure consistent and equitable compensatory consideration for non-union full and part-time employees; and

Whereas, the Pay Schedule also acts as a convenient tool for reviewing compensatory issues for employees who are also union members; and

Whereas, in follow-up to the Board passing a cost of living increase for 2011, the Pay Schedule has been modified to reflect the two-percent (2%) increase; and

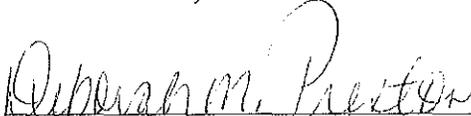
Therefore **Be It Resolved**, the Miami Township Board of Trustees approves the use of the 2011 Pay Schedule #2, as attached, to be effective January 1, 2011.



Charles C. Lewis, Trustee President

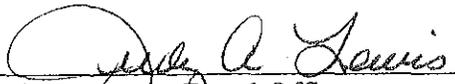


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Escal Officer
Passed: April 26, 2011
GSR:seb

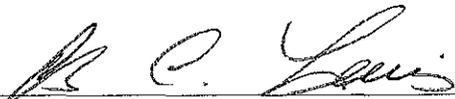
RESOLUTION #42-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

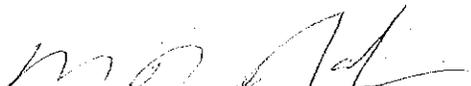
Whereas, David Moore has been a part-time firefighter/EMT since August 3, 2010; and

Whereas, David has decided to resign his position with the fire division due to personal reasons; and

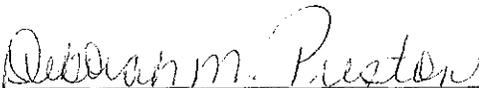
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from David Moore and termination of his employment is effective April 12, 2011.



Charles C. Lewis, Trustee President

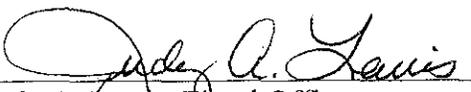


Mike Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed April 12, 2011
GSR:mmm

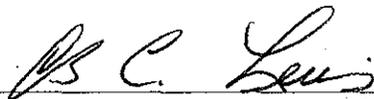
RESOLUTION #43-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, Brent Daniels has been a part-time firefighter/EMT since May 5, 2010; and

Whereas, Brent has decided to resign his position with the fire division due to personal reasons; and

Therefore **Be It Resolved**, the Miami Township Board of Trustees accepts the letter of resignation from Brent Daniels and termination of his employment is effective April 12, 2011.



Charles C. Lewis, Trustee President



Mike Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 12, 2011
GSR:mmm

RESOLUTION #44-2011

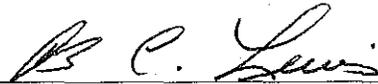
**RESOLUTION AUTHORIZING THE HIRING
OF FULL-TIME PERSONNEL**

Whereas, there is a full-time Administrative Assistant vacancy in the Planning and Zoning Department; and

Whereas, Miami Township has conducted a recruitment and selection process for the purposes of hiring a full-time Administrative Assistant; and

Whereas, the Assistant Township Administrator is making the recommendation to hire Christie Lamb as a full-time Administrative Assistant at a starting hourly rate of \$9.46 per hour and under conditions of the conditional offer; and

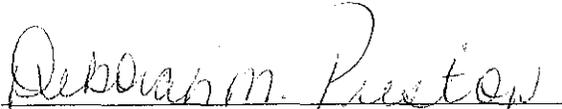
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with her hiring date to be determined by the Assistant Township Administrator, and said resolution is effective April 12, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 12, 2011

GSR:mrm

RESOLUTION #45-2011

**RESOLUTION AUTHORIZING THE PROMOTION OF A
FULL TIME FIRE LIEUTENANT TO DEPUTY CHIEF**

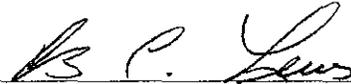
Whereas, there is a vacancy to be filled in the Division of Fire/EMS as a result of a vacated position; and

Whereas, the Division of Fire/EMS conducted an internal recruitment and selection process; and

Whereas, Fire Chief Matthew Queen is making his recommendation; and

Whereas, a conditional offer of promotion has been made to and accepted by Lieutenant James Baber; and

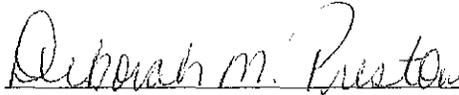
Therefore, Be It Resolved, the Miami Township Board of Trustees authorizes the promotion of Lieutenant James Baber to the position of Deputy Chief at a salary of \$68,559.95, in the Division of Fire/EMS, effective April 17, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 12, 2011

GSR:mrm

RESOLUTION #46-2011

RESOLUTION TO APPROVE 2011 PAY SCHEDULE

Whereas, the Board of Trustees has created a Pay Schedule to ensure consistent and equitable compensatory consideration for non-union full and part-time employees; and

Whereas, the Pay Schedule also acts as a convenient tool for reviewing compensatory issues for employees who are also union members; and

Whereas, in follow-up to the Board passing a cost of living increase for 2011, the Pay Schedule has been modified to reflect the two-percent (2%) increase; and

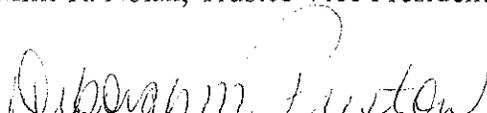
Therefore Be It Resolved, the Miami Township Board of Trustees approves the use of the 2011 Pay Schedule, as attached, to be effective January 1, 2011.



Charles C. Lewis, Trustee President

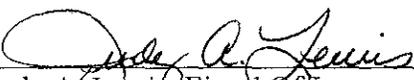


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 12, 2011
GSR:mrm

RESOLUTION #47-2011

**RESOLUTION TO PURCHASE PORTABLE RADIOS, MOBILE RADIOS
AND ACCESSORIES FOR THE FIRE DEPARTMENT**

Whereas, Miami Township has qualified to purchase under Motorola Government Pricing, and has the opportunity to realize some significant savings through a promotional program; and

Whereas, the Montgomery County radio system is built upon proprietary equipment and technology from Motorola; and

Whereas, the Fire Chief is recommending the purchase of 25 portable radios, 22 mobile radios and all necessary accessories to be utilized in the fire division and three mobiles for the police department; and

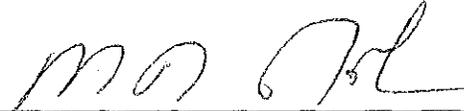
Whereas, the Board of Trustees approved the addition of the necessary radio equipment and installation during the 2011 budget process under Capital Improvement; and

Whereas, the funds necessary to purchase the listed radio equipment, all accessories and installation costs will be secured through the Ohio Township Association Master Lease Program; and

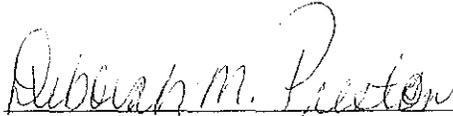
Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the purchase of portable radios, mobile radios and all necessary accessories, under the government pricing from Motorola and P&R Communications for an amount not to exceed \$179,055.



Charles C. Lewis, Trustee President

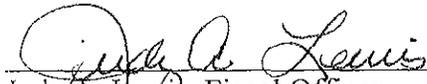


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 26, 2011

GSR:seb

RESOLUTION #48-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, David Plowman has been a part-time firefighter/EMT since December 14, 2010;
and

Whereas, David has decided to resign his position with the fire division due to personal
reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from David Plowman and termination of his employment is effective
May 10, 2011.



Charles C. Lewis, Trustee President

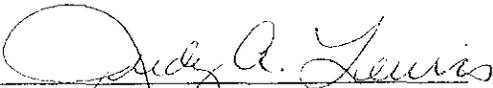
absent

Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 10, 2011

GSR:mrm

RESOLUTION #49-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, Alex Brahm has been a part-time firefighter/EMT since August 30, 2010; and

Whereas, Alex has decided to resign his position with the fire division due to full-time employment with the Sydney Fire Department; and

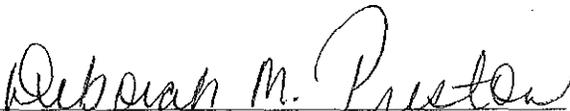
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Alex Brahm and termination of his employment is effective May 10, 2011.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 10, 2011
GSR:mrm

RESOLUTION #50-2011

**RESOLUTION TO REAPPOINT TOWNSHIP REPRESENTATIVE
TO THE HILLGROVE UNION CEMETERY BOARD OF TRUSTEES**

- Whereas,** the Miami Township Board of Trustees and the City Council for the City of Miamisburg have formed the Hillgrove Union Cemetery; and
- Whereas,** there is a need to appoint a Miami Township Representative to the Hillgrove Union Cemetery Board of Trustees; and
- Whereas,** Charles Lewis has expressed a desire to continue to serve on Hillgrove Union Cemetery Board of Trustees; and

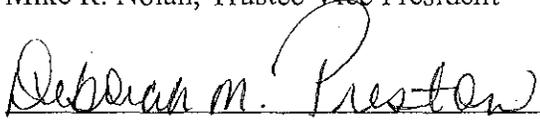
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Charles Lewis to serve on the Hillgrove Union Cemetery Board of Trustees for a term of three (3) years ending on May 31, 2014.



Charles C. Lewis, Trustee President

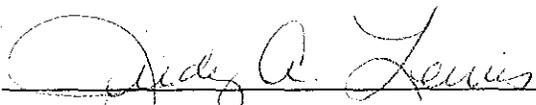
absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 10, 2011
GSR:seb

RESOLUTION #51-2011

RESOLUTION TO APPROVE SOCIAL MEDIA PROCEDURES

Whereas, Miami Township has an overriding interest and expectation in deciding what is “spoken” on behalf of the Township on social media sites; and

Whereas, there is a need for social media procedures that establishes guidelines for the use of social media within the Township; and

Whereas, Miami Township staff has drafted a set of social media procedures that meet the Township’s needs; and

Whereas, legal counsel has reviewed and approved those Miami Township social media procedures; and

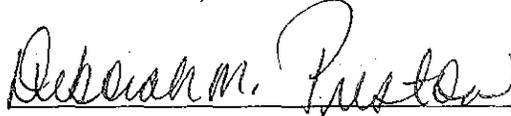
Therefore Be It Resolved, the Miami Township Board of Trustees adopts the Miami Township social media procedures, effective May 10, 2011.



Charles C. Lewis, Trustee President

absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 10, 2011
GSR:seb

RESOLUTION #52-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO APPROVE AN ENERGY AUDIT AGREEMENT**

Whereas, Miami Township has a need to do an energy audit; and

Whereas, Energy Optimizers, USA has the ability to evaluate the potential energy savings opportunities for our facility; and

Whereas, 100% of the cost of the audit can be reimbursed; and

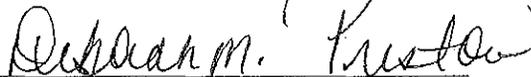
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement with Energy Optimizers, USA in the amount of \$6,520.00.



Charles C. Lewis, Trustee President

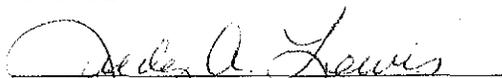
absent

Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 10, 2011

GSR:seb

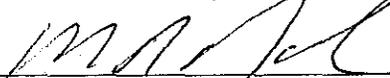
RESOLUTION #53-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH MIAMI VALLEY LIGHTING,
LLC AND DPL ENERGY RESOURCES FOR ELECTRICAL LIGHTING
SERVICES FOR USE ON PUBLIC GROUNDS AND STREETS IN MIAMI
TOWNSHIP**

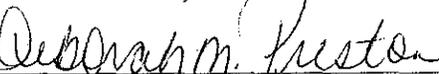
- Whereas,** Miami Township is desirous of entering into an agreement with Miami Valley Lighting, LLC and DPL Energy Resources, Inc., for maintenance of street lighting services; and
- Whereas,** Miami Valley Lighting, LLC and DPL Energy Resources, Inc., are DPL subsidiaries and collectively, d.b.a. DPL Energy (DPLE); and
- Whereas,** Miami Township has been presented with a reduced rate over the current contract; and
- Whereas,** the rates are presented in Appendix A of the Street Lighting Agreement; and
- Whereas,** the Miami Township Board of Trustees are satisfied with the current service; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to enter into an agreement with Miami Valley Lighting, LLC and DPL Energy Resources Inc., for the furnishing of electricity and maintenance for all street light service, in the existing lighting districts, effective January 1, 2011 through December 31, 2015.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 10, 2011
GSR.mrm

RESOLUTION #54-2011

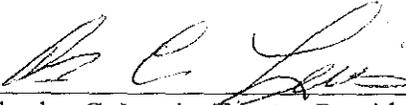
**RESOLUTION TO ACCEPT THE SERVICE RETIREMENT OF
RECORDS CLERK SUSAN GOODE**

Whereas, Susan Goode has served the Miami Township Police Department faithfully and in good stead; and

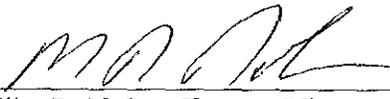
Whereas, Susan Goode began serving the residents and business community of Miami Township on March 25, 1996; and

Whereas, Susan Goode has given notice that she will retire from her position with the Miami Township Police Department effective at the close of business on June 30, 2011; and

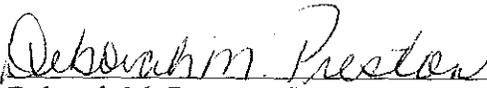
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the service retirement of Susan Goode at the close of business on June 30, 2011.



Charles C. Lewis, Trustee President

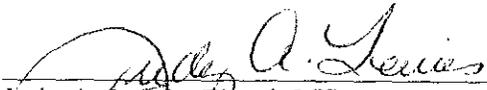


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed June 14, 2011
GSR:mmm

RESOLUTION #55-2011

**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

Whereas, there are vacancies to be filled in the Fire Division; and

Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individuals as part-time employees:

Ryan Konkel	Grade S-1	\$12.20 / per hour
Zachary Eddy	Grade S-1	\$12.20 / per hour
Paul Kleinhenz	Grade S-1	\$12.20 / per hour

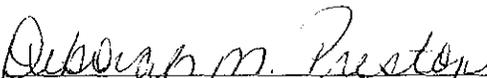
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individuals, with their hiring date to be determined by the Fire Division, effective June 14, 2011.



Charles C. Lewis, Trustee President

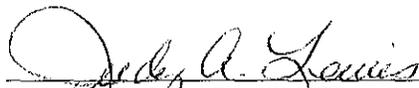


Mike Nolan, Trustee, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mrm

RESOLUTION #56-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO
ENTER INTO A CONTRACT FOR HEALTH INSURANCE WITH
ANTHEM FOR THE 2011/2012 CONTRACT YEAR**

- Whereas,** the Board of Trustees, has given consideration to all submitted recommendations from brokers, as well as suggestions and criticisms received from the Township Administrator, the Department Heads, and non-union and union employees; and
- Whereas,** the insurance meeting was held on June 7, 2011 and there were no objections from any employee as to the proposed most favorable plan: Anthem, 6.23% renewal increase with an increase in Deductible and Out of Pocket; and
- Whereas,** employee contributions rates for premiums are based on union contracts and non-union employees will pay a 10% rate; and
- Whereas,** Anthem's Lumenos HSA 5.0 Option 5 with Rx-Z, monthly premiums are:

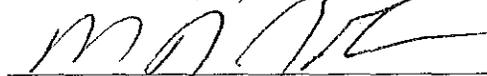
Employee Only:	\$396.50
Employee + Spouse:	\$871.54
Employee + Children:	\$669.32
Family:	\$1,224.04

Whereas, a renewal date of July 1, 2011, is the effective date; and

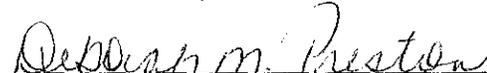
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with Anthem to institute the above insurance plan for the 7/1/2011 through 6/30/2012 plan year.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 14, 2011
GSR:mmm

RESOLUTION #57-2011

RESOLUTION TO HIRE PATRIOT ENGINEERING AND ENVIRONMENTAL, INC. FOR THE INSPECTION AND TESTING OF CONSTRUCTION MATERIAL FOR A NEW FIRE STATION AND PUBLIC WORKS FACILITY

Whereas, the Miami Township Board of Trustees has determined the need to construct a new Fire Station and Public Works Facility; and

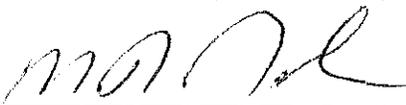
Whereas, Miami Township has properly solicited "Request For Qualifications" (RFQ) proposals to provide inspection and testing of construction material services for the new construction; and

Whereas, Patriot Engineering and Environmental, Inc. was determined to be the best suited firm to provide the inspection and test construction materials services; and

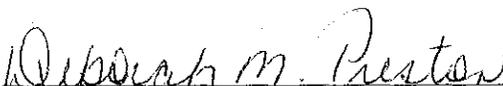
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Patriot Engineering and Environmental, Inc. for the inspection and testing of construction material services for Miami Township Fire Station 51 and Public Works Facility, with a cost to be determined based on time and materials, not to exceed \$55,000.00, effective May 24, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 14, 2011
GSR:mrm

RESOLUTION #58-2011

RESOLUTION TO CHANGE A ZONING DISTRICT

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 14; and

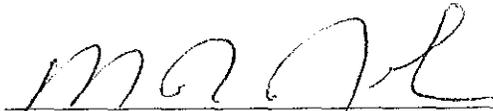
Whereas, Zoning Case #404-11, filed by JEM Investments LTD, proposes a change of zoning district from the "R-7" Multiple Family Residential District to the "O-2" General Office District; and

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

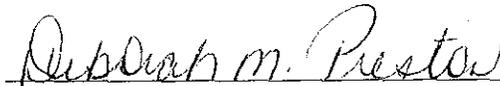
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES Zoning Case #404-11 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mmm

RESOLUTION #60-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6056 Eleventh Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6056 Eleventh Avenue

(aka: 308 11th Ave.)

Parcel ID #K50-184-26-26,

K50-184-26-39, K50-184-26-25,

K50-184-26-31 & K50-184-26-32

Bank of America

fka: Countrywide Home Loans

7105 Corporate Drive

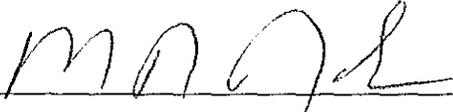
Plano, TX 75024

Mortgage Company

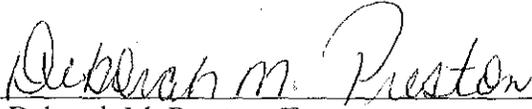
SIGNATURE PAGE FOR RESOLUTION #60-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mrm

RESOLUTION #61-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5410 S. Union Rd., Miamisburg, Ohio, 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5410 South Union Road

Parcel ID #K45-25-11-80

Thomas E. Thygerson (deceased)

5410 South Union Road

Miamisburg, OH 45342

Unknown heirs, the devisees,
legatees, executors, administrators,
and assigns of Thomas E. Thygerson,
and the unknown guardians of minor
and/or incompetent heirs of

Thomas E. Thygerson ADDRESS UNKNOWN

Mortgage Company

The Bank of New York, as trustee for the
holders of the EQCC Asset Backed

Certificates, Series 2001-2

c/o Select Portfolio Servicing, Inc.

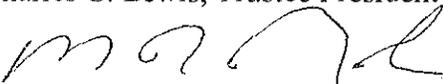
3815 South West Temple

Salt Lake City, Utah 84115-4412

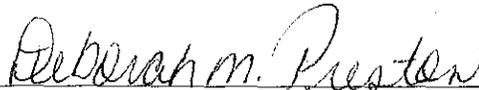
Equicredit Corporation of America
9000 Southside Blvd
Mail Code: FL9-400-05-41
Jacksonville, FL 32256



Charles C. Lewis, Trustee President

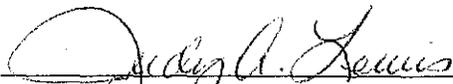


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mrm

RESOLUTION #63-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6070 Fourth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6070 Fourth Ave.
Parcel ID #K50-184-21-24
Daniel and Misty Johnson
6070 Fourth Ave.
Miamisburg, OH 45342

Daniel and Misty Johnson
P.O. Box 771
Franklin, OH 45005-0771

Daniel and Misty Johnson
11 Waterstone Drive
Franklin, OH 45005

Mortgage Company
Bank of New York Mellon
101 Barclay St., Flr. 4 West
New York, NY 10286

SIGNATURE PAGE FOR RESOLUTION #63-2011 ONLY



Charles C. Lewis, Trustee President

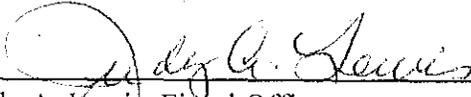


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GH:

RESOLUTION #64-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6060 Fifth Ave.

Parcel ID #K50-184-21-135

Joe E. Lewis

6060 Fifth Avenue

Miamisburg, OH 45342

Joe E. Lewis

7499 Martz-Paulin Road

Franklin, OH 45005

Mortgage Company

N/A

Susan J. Lewis

6060 Fifth Avenue

Miamisburg, OH 45342

Susan J. Lewis

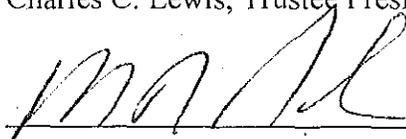
7499 Martz-Paulin Road

Franklin, OH 45005

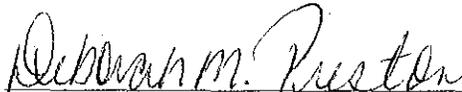
SIGNATURE PAGE FOR RESOLUTION #64-2011 ONLY



Charles C. Lewis, Trustee President

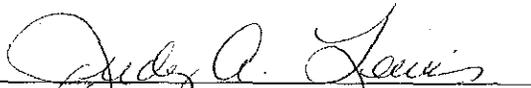


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mmm

RESOLUTION #67-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2408 Brahms Blvd., Dayton, Ohio, 45449, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2408 Brahms Blvd.

Parcel ID #K47 23104 0019
Asheley Smedley
2408 Brahms Blvd.
Dayton, OH 45449

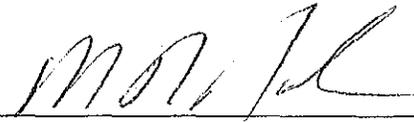
Mortgage Company

Deutsche Bank National Trust Company,
as Trustee on Behalf of Morgan Stanley
ABS Capital I Inc
Trust 2006-HE5, Mortgage Pass-Through
Certificates, Series 2006 HE5
5401 North Beach Street, FWTX-35
Fort Worth, TX 76137

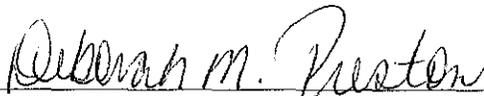
SIGNATURE PAGE FOR RESOLUTION #67-2011 ONLY



Charles C. Lewis, Trustee President

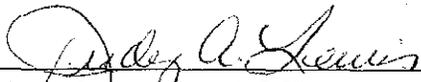


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mrm

RESOLUTION #68-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6047 Second Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 14, 2011; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 14, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

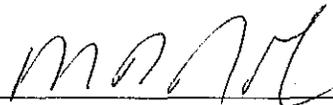
6047 Second Ave. (Vacant Lot)
Parcel ID #K50-184-21-106
Secretary of Veterans Affairs
1240 East Ninth Street
Cleveland, OH 44199

Mortgage Company
None Known

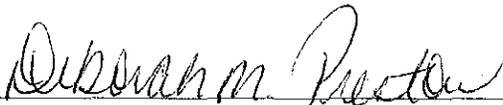
SIGNATURE PAGE FOR RESOLUTION #68-2011 ONLY



Charles C. Lewis, Trustee President

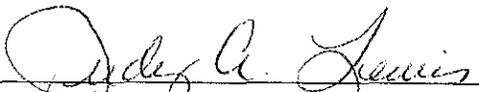


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 14, 2010
GSR:mrm

RESOLUTION #70-2011

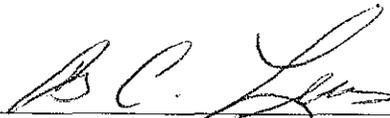
RESOLUTION TO AUTHORIZE EXECUTION OF AN INCENTIVE GRANT PROGRAM AGREEMENT

Whereas, the Montgomery County Solid Waste District is committed to integrated waste management techniques, including waste reduction and recycling; and

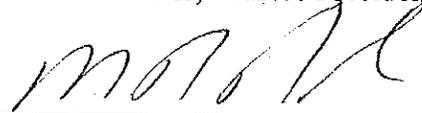
Whereas, the purpose of the Incentive Grant Program is to provide funding for local governments to effectively increase participation in waste reduction efforts and community recycling programs; and

Whereas, the Solid Waste District, through the Incentive Grant Program has awarded Miami Township \$3,232.59 in grant assistance for the purchase of park benches; and

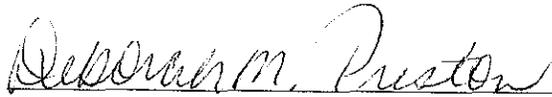
Therefore be it Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute a letter of acceptance with the Solid Waste District, to secure the funds awarded through the Incentive Grant Program.



Charles C. Lewis, Trustee President

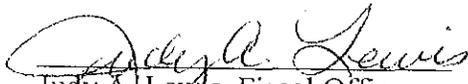


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 14, 2011

GSR:mmm

RESOLUTION #71-2011

RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE
ORDER FOR OPWC ADMINISTRATIVE EXPENSES RELATING
TO THE SPRING VALLEY PIKE PHASE V IMPROVEMENTS
PROJECT

Whereas, the Board of Trustees of Miami Township must, under O.R.C. 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

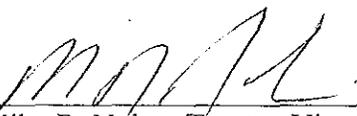
Whereas, O.R.C. 5705.41 allows for a "Then and Now" purchase order to be issued when time or circumstances do not allow for a timely process of a normal purchase order; and

Whereas, Miami Township is obligated to pay the Montgomery County Engineers Office for OPWC administrative expenses in the amount of \$2,924.27; and

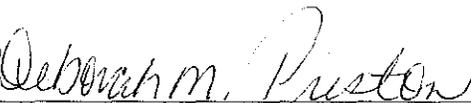
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and the date of the execution of the order, the amount of \$2,924.27 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Road & Bridge Fund, free of any commitments or encumbrances.



Charles C. Lewis, Trustee President

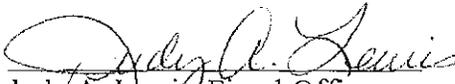


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 14, 2011
GSR:mrm

RESOLUTION #59-2011

**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

Whereas, there are vacancies to be filled in the Fire Division; and

Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individual (s) as a part-time employee:

Dylan Gibson Grade S-1 \$12.20 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individuals, with his hiring date to be determined by the Fire Division, effective June 28, 2011.



Charles C. Lewis, Trustee President

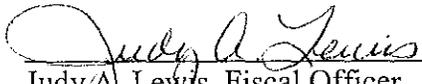


Mike Nolan, Trustee, Trustee Vice-President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #62-2011

RESOLUTION TO ENTER INTO MEMORANDUMS OF UNDERSTANDING WITH UNIONS FOR EMPLOYER HSA FUNDS

Whereas, the Board of Trustees has approved a high deductible health plan (HDHP) for the 2011/2012 plan year; and

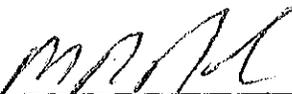
Whereas, the Board of Trustees, for this plan year, has agreed to contribute employer funded Health Savings Account (HSA) funds to non-union employees who are participating in the HDHP; and

Whereas, the Board of Trustees has agreed to contribute HSA funds to employees participating in the HDHP and who are covered by a collective bargaining agreement providing that the respective union representatives sign and thereby agree to a Memorandum of Understanding for the plan year; and

Therefore Be It Resolved, the Miami Township Board of Trustees agrees to sign the Memorandums of Understanding and authorize the Township Administrator to carry out those activities which will allow employees covered by FOP and IAFF collective bargaining agreements, providing the MOU's are agreed to by the respective union representatives, to earn and/or receive employer funded HSA funds for the 2011/2012 plan year.



Charles C. Lewis, Trustee President

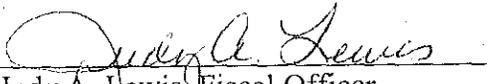


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



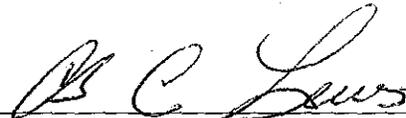
Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #65-2011

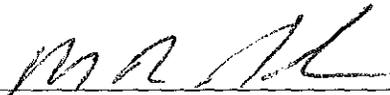
RESOLUTION TO FUND THE HEALTH SAVINGS ACCOUNT (HSA)

- Whereas,** the Miami Township Board of Trustees has, for the plan year of 07/01/2011 through 06/30/2012, agreed to fund HSA contributions for eligible employees and elected officials who participate in the Township's a high deductible health plan; and
- Whereas,** the Board of Trustees has agreed to fund employees and elected officials not covered by a collective bargaining agreement at a maximum earnable contribution of \$2,000 for the Employee Only Plan Level and at \$4,000 for the following Plan Levels: Employee + Spouse, Employee Plus Children, and Employee Plus Family; and
- Whereas,** the Board of Trustees has agreed to fund employees covered by a collective bargaining agreement as outlined for non-union employees and providing that the respective union agrees to and signs off on a Memorandum of Understanding to be drafted by legal counsel; and
- Whereas,** the HSA funds will be distributed as follows: 50% in July, 2011, 25% in November 2011, and the remaining 25% in February 2012; and
- Whereas,** the Employer HSA Contribution is not an entitlement of any eligible non-union or union employee or elected official, and is a benefit only for this plan year and it reserves the right to change whether or not it funds HSA dollars and if so how they may be earned; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees has considered and supports the funding of HSA contributions as outlined above and directs Human Resources Director, Lisa R. deGuzman, and Finance Director, Joe Fowler, to proceed as necessary to ensure the HSA contributions are addressed appropriately.

SIGNATURE PAGE ONLY FOR RESOLUTION #65-2011



Charles C. Lewis, Trustee President

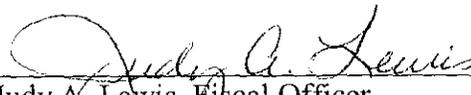


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #66-2011

**RESOLUTION TO CONTRACT FOR
SERVICES WITH FLEXBANK**

Whereas, the Miami Township Board of Trustees has elected to provide IRS-regulated financial accounts for eligible full time, regular Miami Township employees and elected officials; and

Whereas, eligibility for employees not covered by a collective bargaining agreement means full time, regular employees and eligible elected officials who enroll in a high deductible health plan for the plan year of 07/01/2011 through 06/30/2012; and

Whereas, eligibility for employees covered by a collective bargaining agreement means full-time regular employees whose union has signed a separate and respective Memorandum of Understanding; and

Whereas, the Human Resources Director, Lisa R. deGuzman, is recommending FlexBank as the third party administer to the IRS-regulated financial accounts that may include, but are not limited to Heath Savings Accounts, Flex Spending Accounts, and Heath Reimbursement Accounts; and

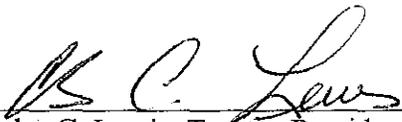
Whereas, the IRS-regulated financial accounts will incur administrative costs, which Miami Township has agreed to pay per month, per eligible and participating non-union, union employee or elected official; and

Whereas, the IRS-regulated financial accounts are not an entitlement of any eligible non-union or union employee or eligible elected official; and

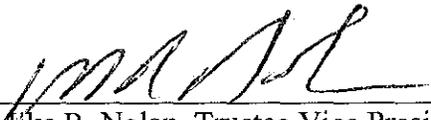
Whereas, the IRS-regulated financial account benefits are being made available by the Trustees only for the plan year of 07/01/2011 through 06/30/2012; and

Therefore Be It Resolved, the Miami Township Board of Trustees has considered and supports the recommendation, and directs Human Resources Director, Lisa R. deGuzman, to proceed as necessary to ensure the administration of the HSA and FSA for the plan year.

SIGNATURE PAGE FOR RESOLUTION #66-2011 ONLY



Charles C. Lewis, Trustee President

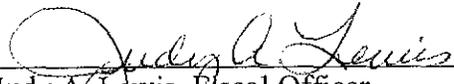


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mmm

RESOLUTION #69-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH DPL, INC. FOR FACILITIES
ELECTRICITY GENERATION**

Whereas, Miami Township is desirous of entering into an agreement with DPL, Inc, for facilities electricity generation; and

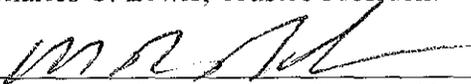
Whereas, a yearly cost analysis was performed based on the electrical alternative generation supplier options for Miami Township; and

Whereas, DPL, Inc. provides the apparent lowest available cost; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to enter into an agreement with DPL, Inc. for facilities electricity generation, in the amount of \$0.06250 per kilowatt-hour, beginning August 1, 2011 or per terms provided by the agreement, to December of 2012.



Charles C. Lewis, Trustee President

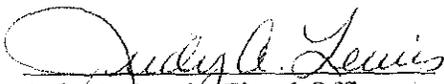


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mmm

RESOLUTION #75-2011

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
THE PHASE II ROADWAYS AT AUSTIN LANDING UNDER ZONING
CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 28, 2011; and

Whereas, Zoning Case #222-88, filed by Innovation Pointe I, LTD, proposes adoption of a final development plan for the Phase II Roadways at Austin Landing for lands zoned "PD-5", Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES
the Final Development Plan under Zoning Case #222-88 and
ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #76-2011

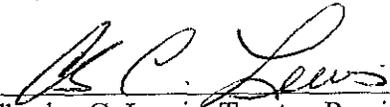
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
HOSPITALITY BUILDING UNDER ZONING CASE #222-88, FOR
LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 28, 2011; and

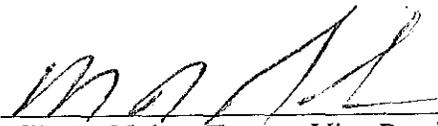
Whereas, Zoning Case #222-88, filed by Austin Landing Associates, LTD, proposes adoption of a final development plan for a Hilton Garden Inn for lands zoned "PD-5", Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan under Zoning Case #222-88 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #77-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2337 Lehigh Pl., Dayton, OH 45439, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 28, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on June 28, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2337 Lehigh Pl.

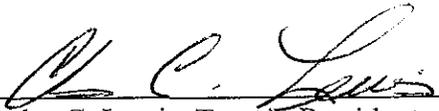
Parcel ID #K47 18441 0038
Connie Broyles
2337 Lehigh Pl.
Dayton, OH 45439

Mortgage Company

Bayview Loan Servicing, LLC
4425 Ponce De Leon Blvd., 5th Fl
Coral Gables, FL 33146

Connie Broyles
3515 W Saint Mortz Ln.
Phoenix, AZ 85053

SIGNATURE PAGE FOR RESOLUTION #77-2011 ONLY



Charles C. Lewis, Trustee President

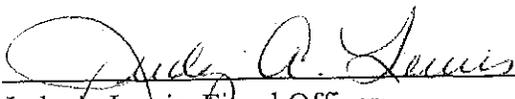


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mrm

RESOLUTION #78-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6046 Second Ave., Miamisburg, OH 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 28, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on June 28, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

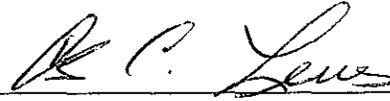
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6046 Second Ave.
Parcel ID #K50 18421 0101
Michele M. Bowling
6046 Second Ave..
Miamisburg, OH 45342

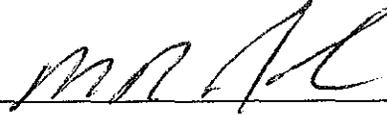
Mortgage Company
Bank of NY Trust Co., N.A.
One Meridian Crossing, Suite 100
Richfield, MN 55423

GMAC Mortgage
Attn: Preservation Dept.
3451 Hammond Ave.
Waterloo, IA 50702

SIGNATURE PAGE FOR RESOLUTION #78-2011 ONLY



Charles C. Lewis, Trustee President

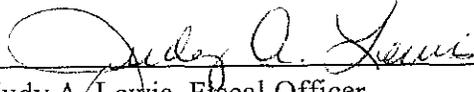


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 28, 2011

GSR:mrm

RESOLUTION #79-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2218 English Oak Ct., Miamisburg, OH 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 28, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on June 28, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2218 English Oak Ct.

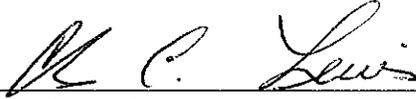
Parcel ID #K45 23119 0049
Terry L. and Andrew C. Oroszi
2218 English Oak Ct.
Miamisburg, OH 45342

Mortgage Company

Chase Home Finance LLC
800 Brooksedge Blvd.
Westerville, OH 43081

Terry L. and Andrew C. Oroszi
1320 Vista Ridge
Miamisburg, OH 45342

SIGNATURE PAGE FOR RESOLUTION #79-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 28, 2011

GSR:mrm

RESOLUTION #80-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5562 S. Union Rd., Miamisburg, Ohio 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 12, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on July 12, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5562 South Union Road

Parcel ID #K45 02511 0102, 103
Eugene L. Wilson
5562 South Union Road
Miamisburg, OH 45342

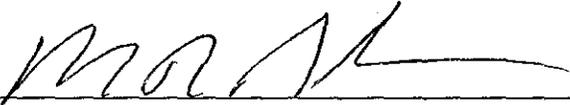
Mortgage Company

BAC Home Loans Servicing LP
7105 Corporate Drive
Mail Stop PTX-C-35
Plano, TX 75024

SIGNATURE PAGE FOR RESOLUTION #80-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 12, 2011

GAH:mmm

RESOLUTION #81-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2700 Brahms Blvd., Dayton, OH 45449, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 12, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on July 12, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2700 Brahms Blvd.

Parcel ID #K47 23016 0024
Glen D. & Kimberly S. Whittington
2700 Brahms Blvd.
Dayton, OH 45449

Mortgage Company

Chase Home Finance LLC
C/O Chase Manhattan Mortgage
3415 Vision Drive
Columbus, Oh. 43219

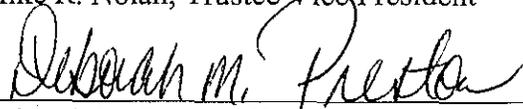
SIGNATURE PAGE FOR RESOLUTION #81-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 12, 2011

GAH:mrm

RESOLUTION #82-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6157 Teagarden Cir., Dayton, OH 45449-3013, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 28, 2011; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on June 28, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6157 Teagarden Cir.

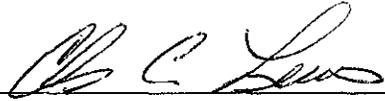
Parcel ID #K47 23115 0021
Tonita A. Britt
6157 Teagarden Cir.
Dayton, OH 45449-3013

Mortgage Company

Federal National Mort Assoc
14523 SW Milikan Way Suite 200
Beaverton, OR 97005

Tonita A. Britt
10290 East 30th St
Yuma, AZ 85365

SIGNATURE PAGE FOR RESOLUTION #82-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 28, 2011

GSR:mrm

RESOLUTION #83-2011

**RESOLUTION APPROVING THE PURCHASE OF ROAD
DE-ICING SALT FOR THE 2011-2012 WINTER SEASON**

Whereas, there is a need to purchase de-icing salt for the winter of 2011-2012; and

Whereas, requests for bids have been made through the Southwest Ohio Purchasers for Government (SWOP4G); and

Whereas, Miami Township has joined this bid for 3,500 tons of de-icing salt; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the lowest and best bid from Cargill Inc.-Deicing Technology at \$63.19 per ton dumped at the Miami Township Public Works facility, 8580 Miamisburg-Springboro Pike, Miamisburg, Ohio 45342.



Charles C. Lewis, Trustee President

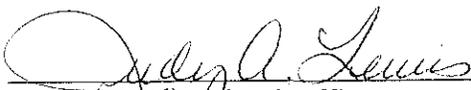


Mike R. Nolan, Trustee Vice President

absent

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 28, 2011
GSR:mmm

RESOLUTION #85-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

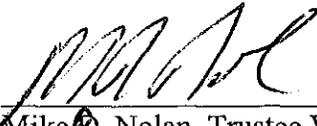
Whereas, Ryan Konkell has been a part-time firefighter/paramedic since June 14, 2011, and

Whereas, Ryan has decided to resign his position with the fire division due to personal reasons; and

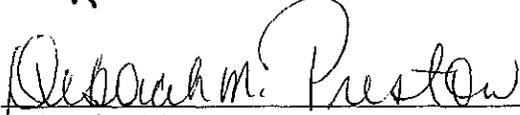
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Ryan Konkell and termination of his employment is effective July 26, 2011.



Charles C. Lewis, Trustee President



Mike D. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 26, 2011
GSR:mrm

RESOLUTION #86-2011

**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

Whereas, there are vacancies to be filled in the Fire Division; and

Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individuals as a part-time employee:

Justin Thoroughman Grade S-1 \$12.20 / per hour

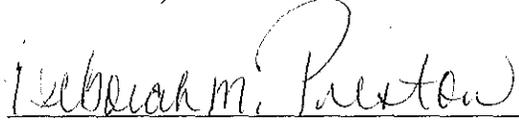
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective July 26, 2011.



Charles C. Lewis, Trustee President

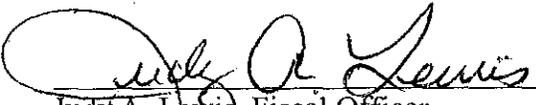


Mike Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 26, 2011
GSR:mrm

RESOLUTION #87-2011

A RESOLUTION AMENDING RESOLUTION #225-2005 TO REMOVE CERTAIN PROPERTY FROM THE PARCELS UPON WHICH THE IMPROVEMENTS CONSTRUCTED THEREON ARE TO BE EXEMPTED FROM TAXATION, AND AUTHORIZING AND APPROVING TOWNSHIP OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH SUCH REMOVAL.

Whereas, Ohio Revised Code Sections 5709.73(B), 5709.74 and 5709.75 (collectively, the “TIF Statutes”) authorize the board of township trustees of a township, by resolution, to declare the improvement to each parcel of real property located within the township to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a township public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made or to be made that directly benefit those parcels; and

Whereas, this Board determined, pursuant to Resolution No. 225-2005 (the “TIF Resolution”), adopted December 13, 2005 to declare the improvements to certain parcels of real property identified and depicted in Exhibit A thereto to be a public purpose; and

Whereas, this Board has determined it is in the best interest of the Township to exclude certain property from that TIF Resolution in order to maximize the future payments that it may derive from such property in connection with improvements made or to be made to such property, and to provide for the provision of other public improvements benefiting that property;

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

Section 1. *Amendment of Resolution No. 225-2005.* This Board hereby finds and determines that Resolution No. 225-2005 is hereby amended by substituting the attached Exhibit A to that Resolution in lieu of the Exhibit A originally attached thereto. Such amendment shall be effective upon the delivery by the Township Administrator to the Fiscal Officer of certification that all conditions precedent have been satisfied for the improvements on parcels that are hereby excluded from the properties described in that original Exhibit A, to be excluded from taxation pursuant to Section 5709.73(B) of the Ohio Revised Code, under a new resolution providing for such exemption.

Section 2. *Resolution No. 225-2005 to Remain in Effect.* The TIF Resolution as amended shall be and remain in effect to the extent provided therein.

Section 3. *Further Authorizations.* This Board hereby authorizes and directs the Township Administrator, the Fiscal Officer, any member of this Board or other appropriate

officers of the Township, to make such arrangements as are necessary and proper for collection from the Owners of the Service Payments. This Board further hereby authorizes and directs Township Administrator, the Fiscal Officer, any member of this Board or other appropriate officers of the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Resolution, including but not limited to the filing of amendments to forms DTE-23 that may be necessary to reflect for the amendments to the list of parcels included in the exemption set forth in the TIF Resolution.

Section 4. Filings with Ohio Department of Development. Pursuant to Ohio Revised Code Section 5709.73(I), the Township Administrator is hereby directed to deliver a copy of this Resolution to the Director of Development of the State of Ohio within fifteen days after its effective date.

Section 5. Open Meetings. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board or committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

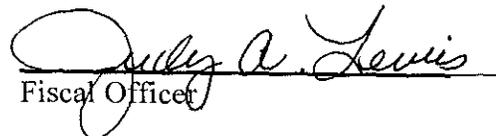
Section 6. Effective Date. This Resolution shall take effect at the earliest opportunity allowed by law.

INTRODUCED by CHARLES LEWIS, SECONDED by MIKE MOLAN AND UNANIMOUSLY ADOPTED, at a duly convened meeting of the Board of Trustees, held on JULY 12, 2011, certified by the Clerk of the Board of Trustees of Miami Township and filed and indexed as provided by law.

FISCAL OFFICER'S CERTIFICATION

I, Judith Lewis, duly elected Fiscal Officer of Miami Township, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on JULY 12, 2011, and recorded in the Trustees' Journal, Volume _____.

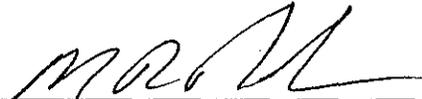
WITNESS my hand this 12th day of JULY, 2011, in Miami Township, Ohio.


Fiscal Officer

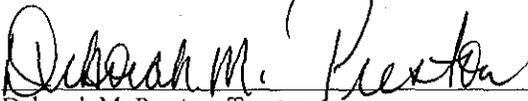
SIGNATURE PAGE FOR RESOLUTION #87-2011 ONLY



Charles C. Lewis, Trustee President

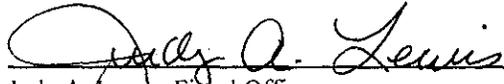


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed July 2, 2011
GAH:mmm

RESOLUTION #88-2011

**RESOLUTION TO PARTICIPATE IN AVIZENT'S (FRANK GATES)
EMPLOYER STATEMENT FOR GROUP RESTROSPECTIVE-RATING
PROGRAM FOR 2011/2012**

Whereas, Miami Township's Bureau of Workers' Compensation experience prevents the Township from participating in AVIZENT's Group Rating Program (PROGRAM), and

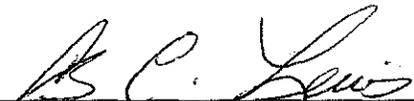
Whereas, the Human Resources Director has held several meetings with AVIZENT's representative to discuss claims experience, group participation, and the PROGRAM; and

Whereas, the BWC requires a third party administrator to administer the PROGRAM;

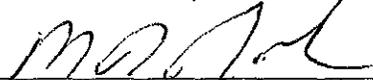
Whereas, the Human Resources Director is recommending that the Township enroll in the BWC's PROGRAM; and

Whereas, the Human Resources Director is further recommending that the Township utilize AVIZENT to administer the PROGRAM; and

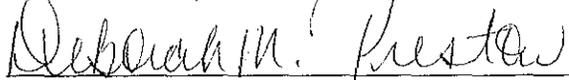
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the township administrator to execute the necessary documents and distribute the necessary finances that will result in a contract with AVIZENT, for \$11,471 for administration of the PROGRAM and secure these services for contract year 2011/2012.



Charles C. Lewis, Trustee President

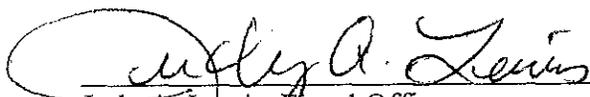


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 26, 2011
GSR:mrm

RESOLUTION #89-2011

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH MENARD, INC.

- Whereas,** Miami Township, Ohio (the "Township") desires to redevelop certain areas within the Township, including, but not limited to, those areas around or related to the Dayton Mall, all to encourage public and private development in the Township and the region;
- Whereas,** Menard, Inc. (together with any successors and assigns or other prospective owners of the Property, the "Owner"), has acquired or intends to acquire certain real property located in the Township and described on Exhibit A desires to cause the construction of public infrastructure improvements ("Public Improvements") benefiting the Property and private improvements to be created thereon;
- Whereas,** this Board, by Resolution adopted on July 12, 2011, provided for the conditional removal of the Property from the TIF Resolution No 225-2005, adopted December 13, 2005 (the "Original TIF Resolution"), provided that the Property be included as part of a new TIF District;
- Whereas,** the Board wishes to facilitate the development of the Property and the construction of the Public Improvements thereon and the creation of jobs therein; and
- Whereas,** the understanding between the Owner and the Township shall be set forth in a Development Agreement (the "Development Agreement") the form of which is on file with the Fiscal Officer.

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

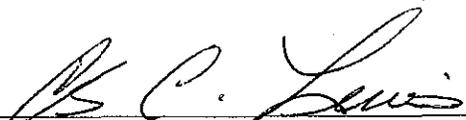
Section 1. *Authorization of Development Agreement.* This Board hereby finds and determines that it is in the best interest of the Township for the Township to execute and deliver the Development Agreement providing for, among other things, the requirement that the Owner make payments in lieu of taxes and construct the Public Improvements, provided that the Owner petition for the inclusion of the Property within the Dayton Mall Joint Economic Development District, all subject to the terms of that Agreement. The Township Administrator and/or any two or more members of this Board are hereby authorized and directed to execute the Development Agreement in substantially the form now on file with the Fiscal Officer with such changes as shall be, in the judgment of those officers executing such document, not inconsistent with this Resolution and not substantially adverse to the Township, and the character of those changes and amendments as not being

substantially adverse to this Township, shall be evidenced conclusively by the execution of the Development Agreement by such officer or officers.

Section 2. *Further Authorizations.* This Board hereby authorizes and directs each member of this Board, the Township Administrator, the Fiscal Officer or other appropriate officers of the Township, to make such arrangements as are necessary and proper to carry out the purposes of and transactions contemplated in the Development Agreement. This Board further hereby authorizes and directs any member of this Board, the Township Administrator, the Fiscal Officer or other appropriate officers of the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement the provisions this Resolution. This Board further authorizes and directs the Administrator to take such actions as may be necessary to provide for the exemption of increase in value of said Property from real property taxes due to the improvements being constructed thereon, and the provision of payments in lieu of taxes thereon.

Section 3. *Open Meetings.* This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board or its committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Ohio Revised Code Section 121.22.

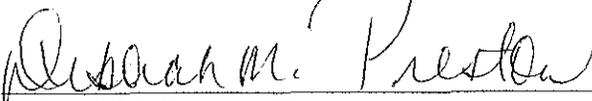
Section 4. *Effective Date.* This Resolution shall take effect at the earliest opportunity allowed by law.



Charles C. Lewis, Trustee President

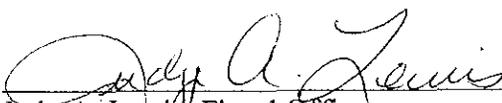


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 26, 2011

GSR:mmm

RESOLUTION #90-2011

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE A BILL OF SALE TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR A TOWNSHIP SIGN & ASSOCIATED IMPROVEMENTS

- Whereas,** the Ohio Department of Transportation will be conducting a roadway improvement project along State Route 741 (MOT 741-3.15) beginning in 2012; and
- Whereas,** Miami Township possesses a brick monument sign and associated shrubs and ground cover at the southeast corner of State Route 725 and State Route 741; and
- Whereas,** the Ohio Department of Transportation has notified Miami Township that the roadway improvement project will require removal of the existing Miami Township monument sign; and
- Whereas,** the Ohio Department of Transportation has provided a Fair Market Value Estimate (F.M.V.E.) for the sign in the amount of \$5,550.00 (Exhibit A); and
- Whereas,** based upon an independent valuation for the improvements obtained by Miami Township, the Board of Trustees have determined the F.M.V.E. provided by the Ohio Department of Transportation to be consistent with said independent valuation; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township (an Ohio local government), Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator, to sign and execute a bill of sale (Exhibit B) with the Ohio Department of Transportation to accept the offer of compensation and to complete and provide such other documents as may be required by the Ohio Department of Transportation to complete the compensation process.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 9, 2011

GAH:mrm

RESOLUTION #91-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6047 Second Avenue, Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 9, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 9, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 14, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 9, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

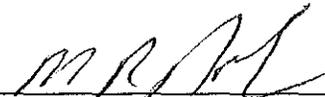
6047 Second Avenue
Parcel ID #K50-184-21-106
Secretary of Veterans Affairs
1240 East Ninth Street
Cleveland, OH 44199

Mortgage Company
N/A

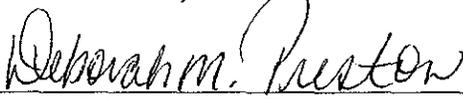
SIGNATURE PAGE FOR RESOLUTION #91-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 9, 2011
GAH:mmm

RESOLUTION #92-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Avenue, Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 9, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 9, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 14, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 9, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6060 Fifth Avenue

Parcel ID #K50-184-21-135

Joe E. & Susan J. Lewis

6060 Fifth Avenue

Miamisburg, OH 45342

Joe E. & Susan J. Lewis

7499 Martz-Paulin Road

Franklin, OH 45005

Mortgage Company

N/A

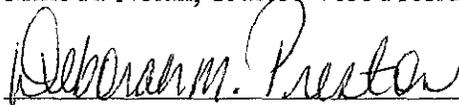
SIGNATURE PAGE FOR RESOLUTION #92-2011 ONLY



Charles C. Lewis, Trustee President

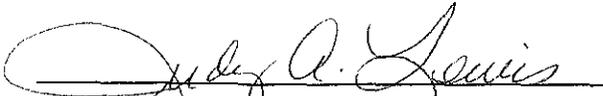


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

August 9, 2011

GAH/mrm

RESOLUTION #93-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 10031 Oriole Ct., Miamisburg, OH 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 9, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 9, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

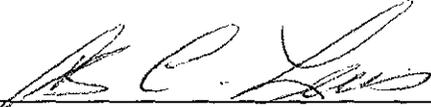
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

10031 Oriole Ct.
Parcel ID #K45 28334 0009
Chase A. Collins
10031 Oriole Ct.
Miamisburg, OH 45342

Mortgage Company
BAC Home Loans Servicing
Mail Stop CA6-921-01-03
450 American St.
Simi Valley, CA 93065

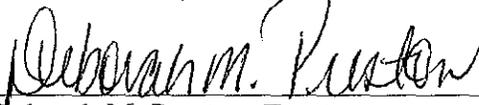
SIGNATURE PAGE FOR RESOLUTION #93-2011 ONLY



Charles C. Lewis, Trustee President

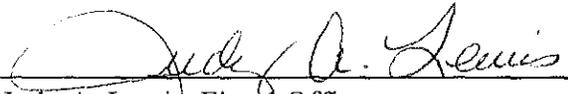


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 9, 2011
GAH:mmm

RESOLUTION #94-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6056 Eleventh Avenue, Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 9, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 9, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 14, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 9, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6056 Eleventh Avenue

(aka: 308 11th Ave.)

Parcel ID #K50 18426 0026,

K50 18426 0039, K50 18426 0025,

K50 18426 0031 & K50 18426 0032

Bank of America

fka: Countrywide Home Loans

7105 Corporate Drive

Plano, TX 75024

Mortgage Company

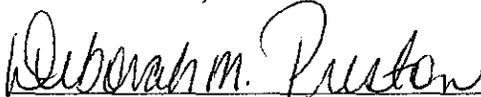
SIGNATURE PAGE FOR RESOLUTION #94-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Escal Officer

Passed: August 9, 2011

GAH:mmm

RESOLUTION #95-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5410 S. Union Rd., Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 9, 2011; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on August 9, 2011, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 14, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 9, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5410 S. Union Rd.

Parcel ID #K45 02511 0080
Thomas E. Thygerson (Deceased)
5410 S. Union Rd.
Miamisburg, OH 45342

Unk. heirs, the devisees, legatees
executors, administrators, and assigns
of Thomas E. Thygerson, and the unk.
guardians of minor and/or incompetent heirs of
Thomas E. Thygerson ADDRESS UNKNOWN

Mortgage Company

Bank of New York, as trustee for the
holders of the EQCC Asset Backed
Certificates, Series 2001-2
c/o Select Portfolio Servicing, Inc.
3815 South West Temple
Salt Lake City, UT 84115-4412

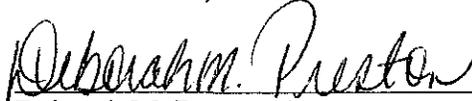
SIGNATURE PAGE FOR RESOLUTION #95-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 9, 2011

GAH:mrn

RESOLUTION #96-2011

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
TEMPORARY PARKING LOT UNDER ZONING CASE #222-88, FOR
LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 9, 2011; and

Whereas, Zoning Case #222-88, filed by Innovation Pointe I, Ltd., proposes adoption of a final development plan for a temporary parking lot for lands zoned "PD-5", Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan under Zoning Case #222-88 and UPHOLDS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 9, 2011

GAH:mrm

RESOLUTION #97-2011

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
120,000 SQUARE FOOT, 4 STORY OFFICE BUILDING UNDER ZONING
CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 9, 2011; and

Whereas, Zoning Case #222-88, filed by R.G. Properties, Inc., proposes adoption of a final development plan for a 120,000 square foot, 4 story office building for lands zoned "PD-5", Planned Mixed-Use; and

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

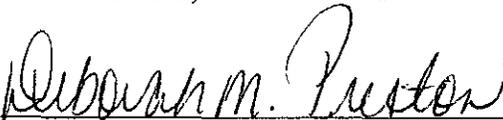
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES the Final Development Plan under Zoning Case #222-88 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

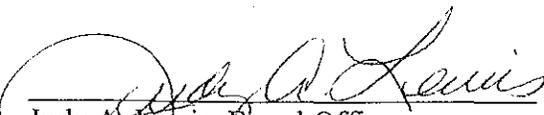


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 9, 2011
GAH:mrm

RESOLUTION #98-2011

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

Whereas, the Board of Zoning Appeals is made up of five members and one alternate;
and

Whereas, the Board currently has a vacancy for a regular member; and

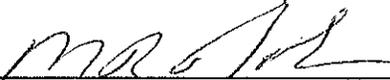
Whereas, Mr. James E. Hamilton has expressed an interest in serving on the Board; and

Whereas, the Planner has made a recommendation to the Board of Trustees; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints James E. Hamilton to the Board of Zoning Appeals as a regular member, with a term ending December 31, 2015, effective August 9, 2011.



Charles C. Lewis, Trustee President



Michael R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed August 9, 2011
GAH:mmm

RESOLUTION #99-2011

RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION 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 capital improvements to Wood Road; and

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

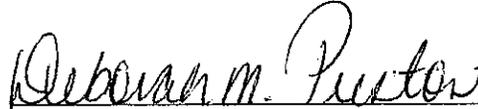
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Public Works Director to apply to the OPWC for funds, as described above, and authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.



Charles C. Lewis, Trustee President

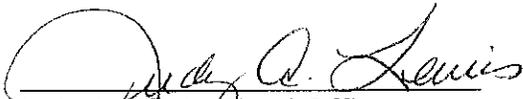


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 9, 2011

GAH:mrm

RESOLUTION #100-2011

RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION 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

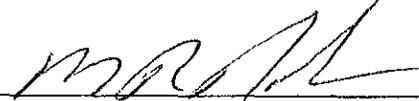
Whereas, Miami Township is planning to make capital improvements to Washington Church Road; and

Whereas, The infrastructure improvements here above are considered to be a priority need for the community and are qualified projects under the OPWC programs; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Public Works Director to apply to the OPWC for funds, as described above, and authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.



Charles C. Lewis, Trustee President

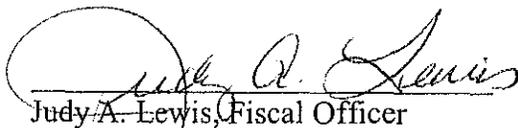


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 9, 2011

GAH:mmm

RESOLUTION #101-2011

**RESOLUTION REGARDING A COOPERATIVE AGREEMENT
BETWEEN MIAMI TOWNSHIP AND WASHINGTON TOWNSHIP FOR
WASHINGTON CHURCH ROAD PHASE I IMPROVEMENTS**

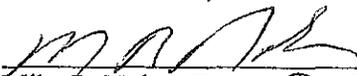
- Whereas,** the Board of Trustees of Miami Township and Washington Township has identified the need to make improvements to Washington Church Road from Austin Boulevard to Spring Valley Pike for the safety of the traveling public; and
- Whereas,** portions of Washington Church Road lie within the boundaries of each Township; and
- Whereas,** Section 5573.15 of the Ohio Revised Code permits the Boards of Trustees of two or more Townships to construct, reconstruct, resurface, or improve, a Township road or part thereof, along the line between such Townships; and
- Whereas,** an application is being made to the Ohio Public Works Commission (OPWC) for financial assistance for the Washington Church Road Phase I Improvements; and
- Whereas,** the OPWC requires each jurisdiction to be responsible for the local matching funds for the share of construction within their respective rights-of-way; and
- Whereas,** the total cost of the project is estimated to be \$3,345,899.00, and \$1,672,950.00 of that sum is attributable to work for which Miami Township is responsible, and \$1,672,949.00 is attributable to work for which Washington Township is responsible; and

Therefore Be It Resolved, the Miami Township will encumber an estimated \$335,000.00, and that Washington Township will encumber an estimated \$335,000.00, which collectively is equal to 20% of the estimated amount for which it is responsible; and

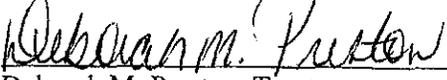
Be It Further Resolved, the remaining funds necessary to complete the Washington Church Road Phase I Improvements will be obtained from the OPWC.



Charles C. Lewis, Trustee President

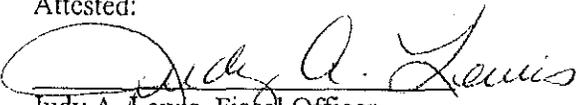


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 9, 2011

GAH:nrm

RESOLUTION #102-2011

**A RESOLUTION AUTHORIZING RELEASE AND ADVERTISEMENT OF
A REQUEST FOR QUALIFICATIONS & PROPOSAL (RFQ/P) TO
SELECT A LANDSCAPE ARCHITECT**

Whereas, Miami Township is participating in the development of a Regional Stormwater Retention Facility; and

Whereas, Miami Township desires to include additional community amenities as part of the design and development of the Regional Stormwater Retention Facility; and

Whereas, Miami Township requires the services of a Landscape Architect to develop the amenities plan and specifications and provide project management and inspection services; and

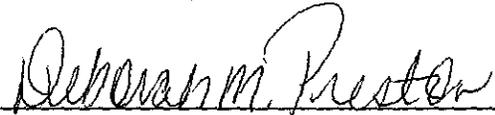
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to release and advertise an RFQ/P for the purposes of selecting a Qualified Firm and Registered Landscape Architect to provide Professional Design Services related to the public amenities to be included in the Lyons Road Regional Retention Basin Amenities Project.



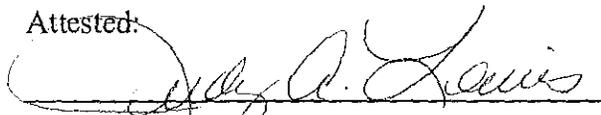
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 9, 2011
GAH:rrm

RESOLUTION #103-2011

**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 **Haplin Lighting District**, consists of the following subdivision: Huber 28 plus an unplatted lot on parcel K47-24-4-36; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Haplin Lighting District; and

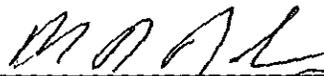
Whereas, the Haplin Lighting District has been contracted; and

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

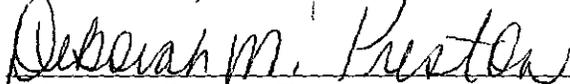
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$28.33** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

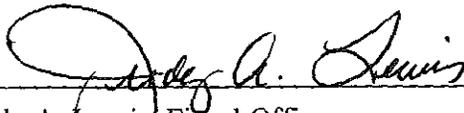


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #104-2011

**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 **Lehigh Lighting District**, consists of the following subdivision:
Haverstick 2 Section 1; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and
maintenance for Haplin Lighting District; and

Whereas, the Lehigh Lighting District has been contracted; 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 an
specially assessed on benefit basis, against the following lots and each of
them in said contract, the amount of **\$21.83** per lot, subject to contracted
agreement. See attached documents: DPL Energy Resources, Inc.
spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #105-2011

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

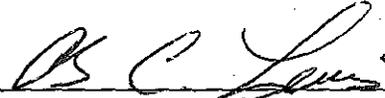
Whereas, The **Miami Village Lighting District Section 1**, consists of the following subdivision: Villages of Miami Section 1, 1A, 1C & 1D; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 1; and

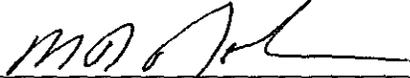
Whereas, the Miami Village Lighting District Section 1 has been contracted; and

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

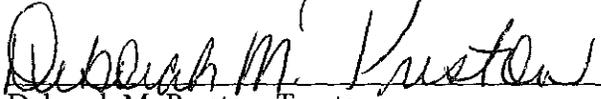
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$47.49** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

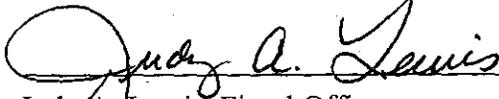


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GAH:kah

RESOLUTION #106-2011

**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 **Miami Village Lighting District Section 2**, consists of the following subdivision: Villages of Miami Section 2, 2A, & 2B; Villages of Miami Townhouse Section 1 & 1A; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 2; and

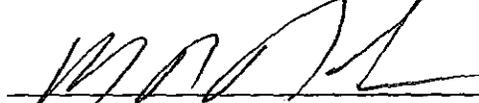
Whereas, the Miami Village Lighting District Section 2 has been contracted; and

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

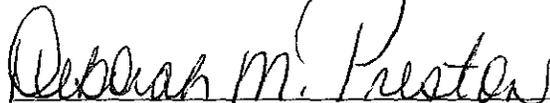
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$40.75** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

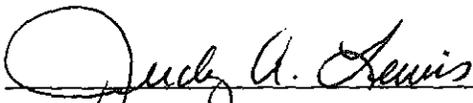


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #107-2011

**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 Miami Village Lighting District Section 3A, consists of the following subdivision: Villages of Miami Section 3A; and
- Whereas,** DPL Entergy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 3A; and
- Whereas,** the Miami Village Lighting District Section 3A has been contracted; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio:

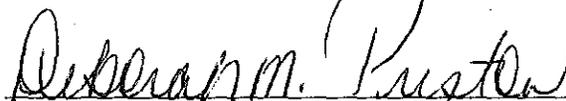
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of \$38.61 per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAN:kah

RESOLUTION #108-2011

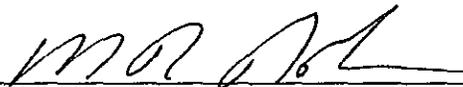
**RESOLUTION TO AUTHORIZE THE COSTS AND EXPENSES OF
A LIGHTING DISTRICT TO BE ASSESSED AS PROVIDED FOR
UNDER THE OHIO REVISED CODE CHAPTER 515**

- Whereas,** The Miami Village Lighting District Section 3B, consists of the following subdivision: Villages of Miami Section 3B; and
- Whereas,** DPL Energy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 3B; and
- Whereas,** the Miami Village Lighting District Section 3B has been contracted; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio:

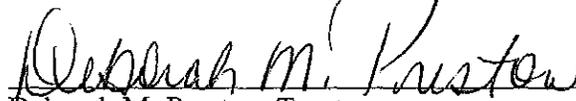
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of \$37.23 per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

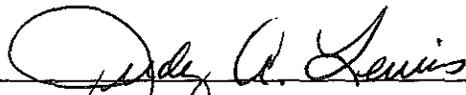


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #109-2011

**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 Ohio Teamsters Village Lighting District, consists of the following subdivision: Chimney Springs Section 4; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Ohio Teamsters Village Lighting District; and

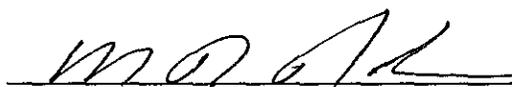
Whereas, the Ohio Teamsters Village Lighting District has been contracted; and

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

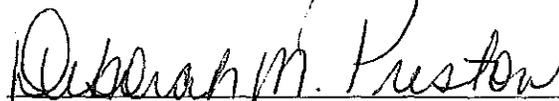
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$158.50** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #110-2011

**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 Terrylynn Lighting District, consists of the following subdivision:
Huber 23 Sections 1,2,&3; Huber 24 Sections 1 & 2; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and
maintenance for Terrylynn Lighting District; and

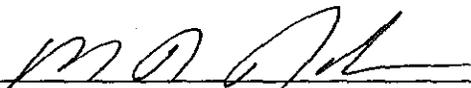
Whereas, the Terrylynn Lighting District has been contracted; and

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

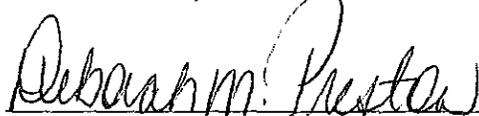
“that in order to pay for the costs and expenses of furnishing and
maintaining the street lights for said unincorporated district under said
contract, and the proceedings in relation thereof, there is hereby levied an
specially assessed on benefit basis, against the following lots and each of
them in said contract, the amount of **\$35.61** per lot, subject to contracted
agreement. See attached documents: DPL Energy Resources, Inc.
spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

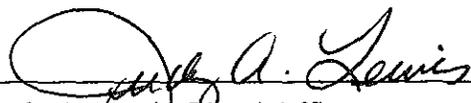


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GAH:kah

RESOLUTION #111-2011

**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 Miami Village Lighting District Section 3C, consists of the following subdivision: Villages of Miami Section 3C; and
- Whereas,** DPL Energy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 3C; and
- Whereas,** the Miami Village Lighting District Section 3C has been contracted; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio:

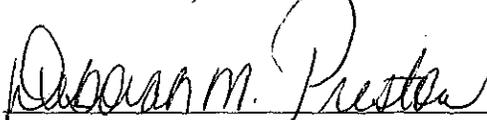
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$45.82** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

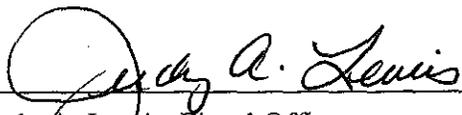


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #112-2011

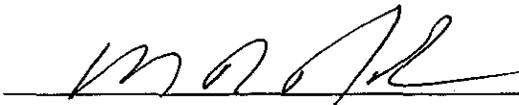
**RESOLUTION TO AUTHORIZE THE COSTS AND EXPENSES OF
A LIGHTING DISTRICT TO BE ASSESSED AS PROVIDED FOR
UNDER THE OHIO REVISED CODE CHAPTER 515**

- Whereas,** The Miami Village Lighting District Section 4A, consists of the following subdivision: Villages of Miami Section 4A; and
- Whereas,** DPL Energy Resources, Inc. is under contract to provide power and maintenance for Miami Village Lighting District Section 4A; and
- Whereas,** the Miami Village Lighting District Section 4A has been contracted; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio:

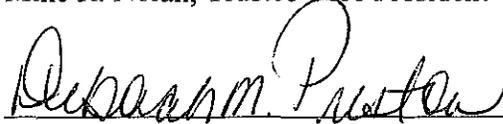
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of **\$40.09** per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

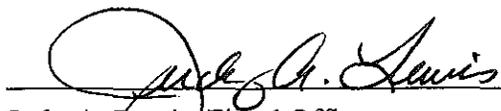


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GAH:kah

RESOLUTION #113-2011

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 Heritage Glen Lighting District, consists of the following subdivision: Sections 1 through 7; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Heritage Glen Lighting District; and

Whereas, the Heritage Glen Lighting District has been contracted; 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 an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of \$31.36 per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GAH:kah

RESOLUTION #114-2011

**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 Crains Run Lighting District, established by Resolution #110-2000, consists of the following subdivisions: Section 1 through 14; and

Whereas, DPL Energy Resources, Inc. is under contract to provide power and maintenance for Crains Run Lighting District; and

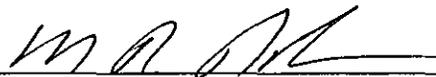
Whereas, the Crains Run Lighting District has been contracted; and

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

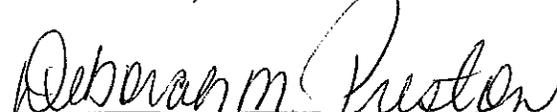
“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district under said contract, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots and each of them in said contract, the amount of \$71.67 per lot, subject to contracted agreement. See attached documents: DPL Energy Resources, Inc. spreadsheet and parcel identifications for this lighting district.”



Charles C. Lewis, Trustee President

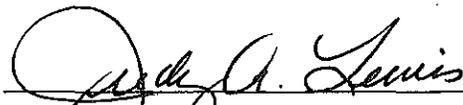


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GAH:kah

RESOLUTION #115-2011

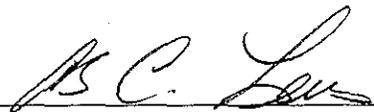
RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN FOR AUTO LAND LIMITED UNDER ZONING CASE #403-10, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 23, 2011; and

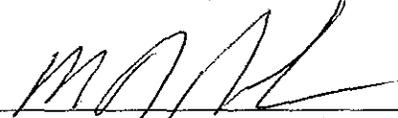
Whereas, Zoning Case #403-10, filed by Auto Land, LTD, proposes adoption of a major modification to the final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

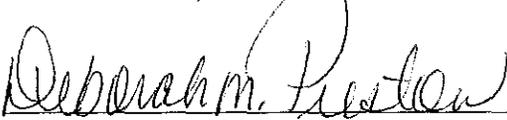
Therefore Be It Resolved, the Miami Township Board of Trustees approves the Major Modification to the Final Development Plan under Zoning Case #403-10 and amends the Zoning Commission recommendation to permit messages to change at an interval of once every 8 seconds; and to permit the message transition to include a fade in/fade out; and to move in/out from the left, right, top, or bottom of the sign, provided such effect is completed within 3 seconds and the sign abides by the other restrictions concerning scrolling, animation, flashing, blinking, noise, and other special effects. The sign shall be utilized for on premise commercial messages or any non-commercial message only.



Charles C. Lewis, Trustee President

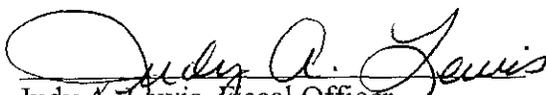


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 27, 2011
GAN:nrm

RESOLUTION #116-2011

RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
PRELIMINARY DEVELOPMENT PLAN FOR THE EXCHANGE AT
SPRING VALLEY UNDER ZONING CASE #374-05, FOR LANDS ZONED
"PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 23, 2011; and

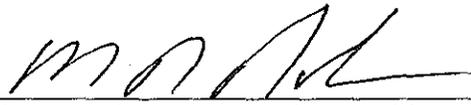
Whereas, Zoning Case #374-05, filed by 741 Developers, LTD, proposes adoption of a major modification to the preliminary development plan for the Exchange at Spring Valley for lands zoned "PD-5", Planned Mixed-Use; and

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

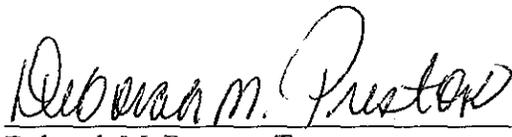
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan under Zoning Case #374-05 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

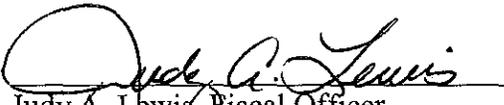


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GSR:seb

RESOLUTION #117-2011

RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR THE EXCHANGE AT SPRING VALLEY UNDER ZONING CASE #374-05, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 23, 2011; and

Whereas, Zoning Case #374-05, filed by 741 Developers, LTD, proposes adoption of a final development plan for Lot #4 at the Exchange at Spring Valley for lands zoned "PD-5", Planned Mixed-Use; and

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

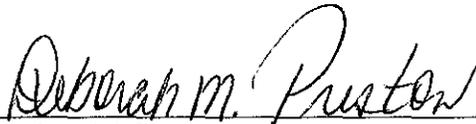
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan for Lot #4 under Zoning Case #374-05 and UPHOLDS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

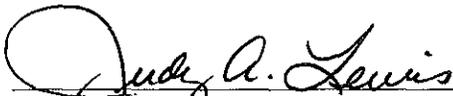


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GSR:seb

RESOLUTION #118-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2337 Lehigh Pl., Dayton, Ohio, 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 23, 2011; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on August 23, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 28, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 23, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

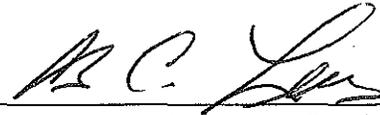
2337 Lehigh Pl.

Parcel ID #K47 18441 0038
Connie Broyles
3515 W. Saint Mortz Ln.
Phoenix, AZ 85053

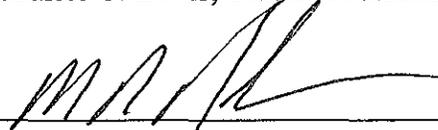
Mortgage Company

Bayview Loan Servicing, LLC
4425 Ponce De Leon Blvd., 5th Flr
Coral Gables, FL 33146

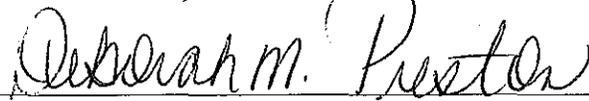
SIGNATURE PAGE FOR RESOLUTION #118-2011 ONLY



Charles C. Lewis, Trustee President

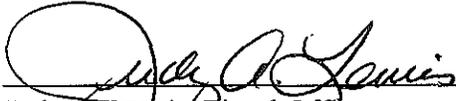


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GSR:nmm

RESOLUTION #119-2011

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6070 Fourth Ave., Miamisburg, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 23, 2011; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 23, 2011, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; to wit: June 14, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 23, 2011 or that the owner and/or lien holder of said property may, within four (4) days of the of the posting of the resolution on the principal structure and/or vacant land, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6070 Fourth Ave.

Parcel ID #K50 18421 0024
Daniel and Misty Johnson
6070 Fourth Ave.
Miamisburg, OH 45342

Daniel and Misty Johnson
11 Waterstone Drive
Franklin, OH 45005

Daniel and Misty Johnson
P.O. Box 771
Franklin, OH 45005-0771

Mortgage Company

Bank of New York Mellon
101 Barclay St., Fl. 4 West
New York, NY 10286

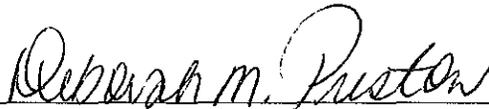
SIGNATURE PAGE FOR RESOLUTION #119-2011 ONLY



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 23, 2011

GSR:mrm

JOINT RESOLUTION

**CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO
CITY RESOLUTION NO. 2786**

AND

**MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO
TOWNSHIP RESOLUTION NO. 121-2011**

A JOINT RESOLUTION TO CREATE A JOINT FIRE DISTRICT

WHEREAS, the Ohio Revised Code provides in Section 505.371 for the creation of a Joint Fire District as a separate political subdivision with the power of taxation; and

WHEREAS, the City of Miamisburg, Montgomery County, Ohio and Miami Township, Montgomery County, Ohio desire to create such a Joint Fire District; and

WHEREAS, the formation of a Joint Fire District is in the best interest of all of the residents of the above-mentioned political subdivisions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miamisburg, and the Board of Township Trustees of Miami Township as follows:

Section 1: Composition of the Joint Fire District. That a Joint Fire District be and hereby is formed between the City of Miamisburg, Montgomery County, Ohio and Miami Township, Montgomery County, Ohio. The boundary of the Joint Fire District shall be co-extensive with the boundaries of Miami Township, inclusive of the incorporated area of the City of Miamisburg as those boundaries now exist and as those boundaries may come to exist in the future.

Section 2: Name of the Joint Fire District. The name of such Joint Fire District shall be the "Miami Valley Joint Fire District."

Section 3: Governing Board. The governing board of the Joint Fire district shall be the Board of Fire District Trustees. The Board of Fire District Trustees shall be comprised of five member trustees, who shall serve at the pleasure of the political subdivision that appointed the trustee. The appointed trustees shall include the following:

- One trustee who shall be a member of the City Council of the City of Miamisburg;
 - One trustee who shall be appointed by the City Council of the City of Miamisburg;
 - One trustee who shall be a member of the Board of Trustees of Miami Township;
 - One trustee who shall be appointed by the Board of Trustees of Miami Township;
- and

- One trustee that is selected by the total membership of the Board of Fire District Trustees.

Each Fire District Trustee shall have one vote on each issue which is voted on by the Board. The Board of Fire District Trustees shall operate in accordance with the by-laws of the Joint Fire District and any agreement entered into by the Joint Fire District.

Upon the effective date of this Joint Resolution, the initial Board of Fire District Trustees shall be comprised by the following individuals:

- John Stalder (City Council of Miamisburg)
- Glenn Alexander (Appointee of the City of Miamisburg)
- Mike Nolan (Board of Trustees of Miami Township)
- Ann-Lisa Rucker (Appointee of Miami Township)

Section 4: Fire Stations, Apparatus, Equipment, and Supplies. The City of Miamisburg and the Board of Township Trustees of Miami Township shall lease its fire stations, fire suppression equipment, firefighting apparatus, emergency medical vehicles, equipment, and supplies currently in service in the City and the Township to the Joint Fire District in accordance with the terms of the lease agreement between the parties, which will be entered into before the Operational Start Date of the Joint Fire District.

Section 5. Personnel and Staffing. The Board of Fire District Trustees will extend offers of employment, subject to the interim period and the qualifications for employment as established below, to any current member in good standing of the Miamisburg Fire Department and the Miami Township Fire Department. Members in good standing of these departments who are offered employment will be hired as either full-time employees, part-time employees, or will be accepted as a volunteer.

All potential applicants who desire employment with the Miami Valley Joint Fire District in any capacity must meet the following conditions:

1. Each applicant must complete and sign an application that gives the Joint Fire District permission to conduct background driving checks and criminal background checks for each applicant.
2. Each applicant must pass a background driving check and a criminal background check.
3. Each applicant will have his or her firefighting or emergency medical certification verified with the responsible state agency.
4. Upon successful completion of the above checks and based on the needs of the Joint Fire District, each applicant will be offered a position with the Joint Fire District and then must pass a physical exam.

5. Upon successful completion of the physical exam, each employee agrees to abide by the probationary conditions adopted by the Board of Fire District Trustees.

It is the Fire District Board of Trustees' intention to hire the current members of the Miamisburg Fire Department and the Miami Township Fire Department who desire to work for the Joint Fire District under the above conditions and qualifications.

Section 6. Funding. Upon creation of the Joint Fire District, initial funding of the Joint Fire District shall be in accordance with an agreement executed between the City of Miamisburg and Miami Township, which will be entered into before the Operational Start Date of the Joint Fire District. Upon adoption of a Joint Fire District levy by the voters of the Joint Fire District, and receipt of sufficient funds to operate the Joint Fire District pursuant to such levy, the Joint Fire District shall independently provide such fire protection and emergency medical services and the political subdivisions participating in the Joint Fire District shall seek to abolish the initial funding structures, including the abolishment of existing fire and emergency service levies by the City of Miamisburg and Miami Township. To the extent that the participating political subdivisions have fire or emergency medical services levy funds remaining, such funds shall be used to retire any debt outstanding on apparatus or equipment and any remainder shall then be used to purchase apparatus and equipment to be leased to the Joint Fire District as needed.

Section 7. Joint Fire District Levy. At the appropriate time, the Joint Fire District Board of Trustees intends to pursue a levy of taxes in an amount as the Board determines to replace the existing township and city levies in order to provide the necessary funds for the operation of the Miami Valley Joint Fire District.

Section 8. Joint Fire District Clerk. The Board of Fire District Trustees shall, upon joint passage of this resolution, appoint a Clerk and assign duties to the Clerk, who shall serve as the fiscal officer of the Joint Fire District.

Section 9. By-Laws of the Joint Fire District. The Joint Fire District shall operate in accordance with its by-laws, which are attached to this Joint Resolution and incorporated by reference.

Section 10. Operating Procedures. Upon joint passage of this resolution, and in accordance with the by-laws of the Joint Fire District, the Board of Fire District Trustees shall formulate, organize, and adopt rules and regulations for the governing of the Joint Fire District.

Section 11. New Members. Political subdivisions may join the Miami Valley Joint Fire District pursuant to Ohio Revised Code Section 505.371. Political subdivisions or parts thereof joining the Miami Valley Joint Fire District will have taxes levied at the same rate as is effective in the Miami Valley Joint Fire District at the time the new political subdivision or parts thereof join the Joint Fire District. If there is not yet a levy implemented by the Miami Valley Joint Fire District, then the Board of Fire District

Trustees and the new member political subdivision will determine the appropriate level of contribution made by the new member political subdivision prior to the expansion of the Joint Fire District.

Section 12. Withdrawal from the Joint Fire District. Pursuant to Ohio Revised Code Section 505.371, any municipal corporation or township may withdraw from a joint fire district by the adoption of a resolution ordering withdrawal. The member political subdivisions of the Miami Valley Joint Fire District shall provide 90-days advanced written notice of its intent to adopt a resolution to withdraw from the Joint Fire District to the Board of Fire District Trustees and to the boards of township trustees or the municipal legislative authorities of the member political subdivisions of the Joint Fire District. When the number of townships and municipal corporations comprising the Joint Fire District is reduced to one, the Joint Fire District shall cease to exist by operation of law.

Section 13. Effective Date. The Miami Valley Joint Fire District shall exist as a political subdivision effective upon the passage of this Joint Resolution.

Section 14. Operational Start Date. The Miami Valley Joint Fire District shall become operational on or after March 1, 2012 (the "Operational Start Date").

Section 15. Compliance with Open Meetings Law. The City Council of the City of Miamisburg and the Miami Township Board of Trustees determine that all formal actions concerning and relating to the adoption of this Joint Resolution were adopted in an open meeting of this City Council and Board of Trustees, and that all deliberations of the City Council, Board of Trustees, and of any of their respective 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 16. Further Authorizations. The City Council of the City of Miamisburg and the Board of Trustees of Miami Township hereby authorize and direct the appropriate officers of the City and/or the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Joint Resolution.

PASSED THIS 31st DAY OF August, 2011, BY THE CITY OF MIAMISBURG.

Passed: August 31, 2011 Attested: Judith E. Barney
Judith E. Barney, Clerk of Council

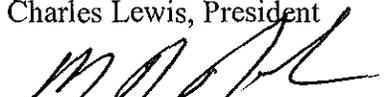
Approved: Richard C. Church, Jr.
Richard C. Church, Jr., Mayor

PASSED THIS 31st DAY OF August, 2011, BY MIAMI TOWNSHIP.

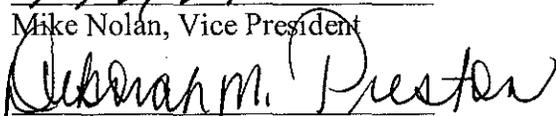
Trustees:



Charles Lewis, President

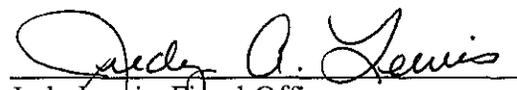


Mike Nolan, Vice President



Deborah Preston, Trustee

Attested: This is to certify that this Joint Resolution was duly passed and filed with the Miami Township Fiscal Officer, this ___ day of August, 2011.



Judy Lewis, Fiscal Officer

BY-LAWS OF THE MIAMI VALLEY JOINT FIRE DISTRICT

ARTICLE I: BOARD OF FIRE DISTRICT TRUSTEES

A. Powers, Limitations, and Duties of the Board of Fire District Trustees

Pursuant to R.C. 505.371, the regulation, power, and government of the Miami Valley Joint Fire District (the "District") shall be vested in and exercised through the Board of Fire District Trustees (the "Board"). In accordance with R.C. 505.371, the Board shall have the authority to exercise the same powers as are granted to a board of township trustees in Sections 505.37 through 505.45 of the Ohio Revised Code, including, but not limited to, the power to levy a tax on all taxable property in the Joint Fire District as provided in R.C. 505.39. The Board shall exercise all authority expressly and impliedly granted by law.

The responsibility and duties of the Board shall include the efficient governance of District operations and the proper accounting, safeguarding, and maintenance of all District property and funds. The Board shall enact policies, procedures, rules, regulations, or any other measures as may be necessary in order to execute its duties and obligations and to ensure the operational readiness and provision of efficient and effective services to the residents of the member political subdivisions.

B. Composition of the Board of Fire District Trustees

The Board of Fire District Trustees shall be comprised of five member trustees. These trustees shall include one trustee who shall be a member of the City Council of the City of Miamisburg; one trustee who shall be appointed by the City Council of the City of Miamisburg; one trustee who shall be a member of the Board of Trustees of Miami Township; one trustee who shall be appointed by the Board of Trustees of Miami Township; and one trustee that is selected by the total membership of the Board of Fire District Trustees.

The Board of Fire District Trustees shall elect a Chief Trustee as chair of the Board. The holder of this position will preside over all meetings, sign documents on behalf of the Board, and exercise authority over the Fire Chief on behalf of the Board. Remaining members of the Board of Fire District Trustees will be referred to as Deputy Trustees, and fill the required positions to complete their duties as members of the Board.

C. Compensation of the Trustees and Expense Reimbursement

Trustees serving on the Board shall not be compensated for the performance of their duties as trustee, provided however that the Trustees shall be reimbursed for any reasonable expenses incurred in the execution of their Board responsibilities upon a resolution passed by the Board.

D. Trustee Term of Office

Trustees shall serve at the pleasure of the political subdivision that appointed the trustee. In the case of a jointly appointed trustee, such jointly appointed trustee shall serve for a term of 1 year.

E. Resignations and Vacancies of Trustees

A resignation by a trustee shall be effective upon tendering written notice upon the other trustees of the Board. In the case of resignation, removal, disability, death, or any event leading to a vacancy on the Board, the vacancy shall be filled by the appointing authority that appointed the trustee leaving a vacancy.

ARTICLE II: BOARD OF FIRE DISTRICT TRUSTEE MEETINGS

A. Regular Board Meetings

Regular meetings of the Board shall occur on a monthly basis and shall be set at a standard time and place as determined by the Board. At the discretion of the Board, any such meeting may be modified as deemed necessary. All regular meetings shall be open to the public in accordance with the Ohio Sunshine Laws and Public Records Act.

B. Special Meetings

Special meetings of the Board may be held and may take place at any time and place capable of accommodating a public meeting. Special meetings may be initiated only in accordance with the notice requirements specified in the Ohio Sunshine Laws and Public Records Act.

C. Executive Sessions

The Board may meet in executive session in accordance with the Ohio Sunshine Laws and Public Records Act.

ARTICLE III: VOTING OF THE BOARD OF FIRE DISTRICT TRUSTEES

A. Votes of the Trustees

Each Fire District Trustee shall have one vote on each issue which is voted on by the Board.

B. Resolutions and Legislation

No resolution, legislation, or other enactments shall be of legal or binding validity unless passed by an affirmative vote of at least a majority of the Trustees of the Board.

A four-fifths vote of the entire membership of the Board of Trustees is required to take action on any of the following issues:

- Purchasing or leasing vehicles or real property from vendors other than the member political subdivisions
- Construction and location of new fire stations
- Any purchase of goods and/or services that are required to be purchased by competitive bidding under state law

ARTICLE IV: OPERATIONAL OVERSIGHT COMMITTEE

A. Purpose of the Committee

The Board of Fire District Trustees shall create an ex-officio Operational Oversight Committee. The Oversight Committee will be occupied by Manager(s) and Administrator(s) from each participating political subdivision. This committee will review and comment on all budget proposals, personnel policy and procedural matters, operational guidelines, and other assignments as designated by the Board, and/or prepared by the Fire Chief for Board approval. Items for approval shall be submitted to the Operational Oversight Committee prior to consideration by the Board of Fire District Trustees.

B. Timelines for Review by the Operational Oversight Committee

The Operational Oversight Committee shall review and provide commentary to the Board within 60 days of beginning its review. Additional time may be granted by the Board of Trustees.

ARTICLE V: JOINT FIRE DISTRICT CLERK

A. Duties of the Clerk

Pursuant to R.C. 505.371, the Board of Fire District Trustees shall employ a Clerk. The Clerk shall be bonded in a suitable amount, and with such sureties, to be fixed by the board for the faithful performance of his or her duties. The Clerk shall perform all duties as determined by the Board. The Clerk shall be the fiscal officer of the District, and shall be accountable to the Board for maintaining oversight over the receipt, custody, safekeeping, safe investing, and disbursement of the District's monies and any legal or monetary instruments of value. The Clerk shall also be responsible for the proper accounting of all monies and property in his or her possession, including funds received from the participating political subdivisions and federal funds. The Clerk shall report on a periodic basis to the Chair of the Board regarding the status of financial accounts, disbursements, and expenditures as directed by the Chair. Upon vacancy of office, the Clerk shall account for and turn over to his or her successor all property, books, papers, computer records, or computer stored information, and monies of the District within his

possession and control. The Clerk shall have such further responsibilities as may be directed by the Board.

ARTICLE VI: FIRE CHIEF

A. Duties of the Fire Chief

The Board of Fire District Trustees shall appoint a Fire Chief. The Fire Chief shall be the chief executive officer of the District, and shall report to the Board. The Fire Chief serves at the pleasure of the Board and shall perform all operational and management duties as determined by the Board.

ARTICLE VII: COMPENSATION AND BENEFITS OF DISTRICT EMPLOYEES

The compensation and benefits of District employees shall be determined by, bargained for, and/or agreed to by the Board of Fire District Trustees in accordance with all applicable law.

ARTICLE VIII: MAINTENANCE OF EQUIPMENT TRANSFERRED OR LEASED TO THE FIRE DISTRICT

Upon receipt of any property, equipment, or firefighting and emergency medical vehicles from the member political subdivisions, all such property shall be fully maintained and kept in a fully serviceable condition. All durable property received or leased by the District, including firefighting and emergency medical equipment, emergency vehicles, apparatus, tools, or other items, shall be inventoried on an annual basis no later than January 31st of each year. The inventory shall include a report that confirms each property item being within the continued possession of the District, its estimated fair market value, its serviceable condition, and the status of the performance of any required scheduled maintenance. The report shall be submitted to the Oversight Committee no later than January 31st annually and shall be certified as being a true and correct inventory by the Fire Chief. No durable property received from the member political subdivisions shall be sold or disposed of without first receiving the joint and proper authorization of the member political subdivisions.

ARTICLE IX: ASSESSING DISTRICT FEES AND CHARGES AGAINST FIRE DISTRICT RESIDENTS

In accordance with R.C. 505.371, the Board of Fire District Trustees may establish reasonable charges for the use of ambulance and emergency medical services. The Board may establish different charges for residents and nonresidents of the District, and may waive, at its discretion, all or part of the charge for any resident of the District. The charge for nonresidents shall be an amount not less than the authorized medicare reimbursement rate.

ARTICLE X: FISCAL YEAR

The fiscal year of the District shall run coterminously with the calendar year.

ARTICLE XI: BY-LAW AMENDMENTS

These District by-laws may be amended or repealed by a four-fifths vote of the entire membership of the Board of Fire District Trustees.

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RESOLUTION #120-2011

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY BY THE TOWNSHIP OF AN AMENDMENT TO THE COOPERATIVE AGREEMENT BY AND AMONG THE TOWNSHIP, THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, THE CITY OF SPRINGBORO, THE CITY OF MIAMISBURG AND MIAMISBURG CITY SCHOOL DISTRICT RELATING TO THE AUSTIN ROAD INTERCHANGE AND RELATED PROJECTS

Whereas, Miami Township, Ohio (the "Township"), the City of Miamisburg, Ohio ("Miamisburg"), the City of Springboro, Ohio ("Springboro"), the Montgomery County Transportation Improvement District (the "District") and the Miamisburg City School District (the "School District") executed and delivered a Cooperative Agreement, dated as of December 15, 2005, as amended by the First Amendment to Cooperative Agreement, dated July 8, 2008 and the Second Amendment to Cooperative Agreement, dated July 21, 2011 (collectively, the "Original Cooperative Agreement"), to provide for the cooperative financing of public improvements for and related to an interchange to be constructed at the present crossroads of I-75 and Miamisburg/Springboro Road/Austin Pike (collectively, the "Project"), all as described in the Original Cooperative Agreement; and

Whereas, the Township has determined to enter into a Third Amendment to Cooperative Agreement, by and among the Township, Miamisburg, Springboro, the District and the School District, amending the Original Cooperative Agreement (the "Third Amendment"), in order to release certain of the obligations of the School District under the Original Cooperative Agreement; and

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

Section 1. Determinations of the Board. The Board of Trustees of the Township, having heretofore reviewed the form of the Third Amendment, now determines that it is a proper public purpose and in the best interests of the Township to enter into the Third Amendment.

Section 2. Authorization for Execution and Delivery of the First Amendment. The Board of Trustees of the Township hereby authorizes and directs the President of this Board, or any one of the other Trustees or the Township Administrator, to execute and deliver for and on behalf of the Township

the Third Amendment, substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official or officials executing the Third Amendment, the execution of which shall be prima facie evidence of such Township official's approval of the form of the Third Amendment. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Third Amendment.

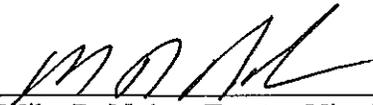
Section 3. Further Authorizations. This Board hereby authorizes and directs the Township Administrator, the Fiscal Officer, any member of this Board or other appropriate officers of the Township to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Resolution.

Section 4. 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.

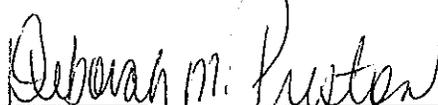
Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.



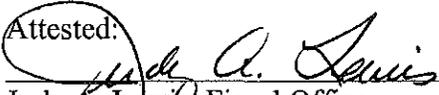
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 23, 2011
GSR:seb

RESOLUTION #122-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, Justin Thoroughman has been a part-time firefighter/EMT since July 26, 2011;
and

Whereas, Justin has decided to resign his position with the fire division for personal
reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from Justin Thoroughman, and termination of his employment is
effective September 13, 2011.



Charles C. Lewis, Trustee President

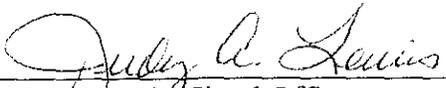


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 13, 2011
GSR:mrm

RESOLUTION #123-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

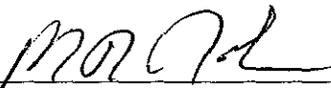
Whereas, Jerry Borders has been a part-time firefighter/EMT since December 14, 2010; and

Whereas, Jerry has decided to resign his position with the fire division due to a full-time career as a fitness trainer; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Jerry Borders, and termination of his employment is effective September 13, 2011.



Charles C. Lewis, Trustee President

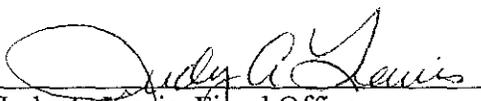


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 13, 2011
GSR:mrm

RESOLUTION #124-2011

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

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

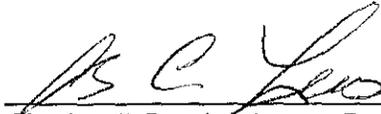
Whereas, under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Joint Economic Development District; and

Whereas, the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and

Whereas, Greg Hanahan was appointed to represent Miami Township on the JEDD Board for two (2) consecutive terms, which expire on September 9, 2011; and

Whereas, it is the recommendation of the Township Administrator to appoint Joe Fowler to represent Miami Township on the JEDD Board; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Joe Fowler, to represent Miami Township on the Miami Township-Dayton JEDD Board, as required by contract, effective immediately.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 13, 2011

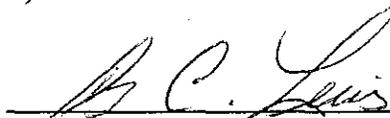
GSR:mrm

RESOLUTION #125-2011

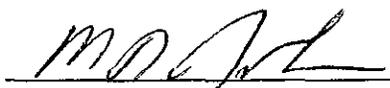
**RESOLUTION TO HIRE MCGILL SMITH PUNSHON, INC.
TO PROVIDE PROFESSIONAL DESIGN SERVICES FOR THE LYONS
ROAD REGIONAL RETENTION BASIN AMENITIES PROJECT**

- Whereas,** the Miami Township Board of Trustees has determined the need to hire a Landscape Architect to provide Design, Management, and Inspection services for the Lyons Road Regional Retention Basin Amenities Project; and
- Whereas,** Miami Township has properly solicited a "Request For Qualifications & Proposal" (RFQ/P) to provide professional design services; and
- Whereas,** Miami Township has thoroughly reviewed the four (4) RFQ/P's that were submitted; and
- Whereas,** McGill Smith Punshon, Inc. was determined to be the most qualified firm to provide Design, Management, and Inspection services per the needs of Miami Township; and

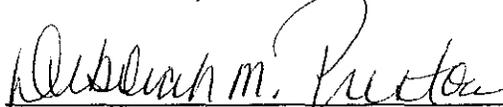
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to enter into a contract with McGill Smith Punshon, Inc. to provide professional design services, which involves Design, Management, and Inspection services related to a community amenities project for the Lyons Road Regional Retention Basin, with the Professional Services not to exceed a cost of \$29,000.00, subject to the fee for basic services as described in the draft Agreement Between McGill Smith Punshon, Inc. And Client For Professional Services (Exhibit A) and the attached hourly rate schedule (Exhibit B).



Charles C. Lewis, Trustee President

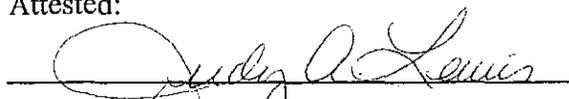


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 13, 2011

GAH:seb

RESOLUTION #126-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

Whereas, Ryan Smith has been a part-time firefighter/medic since August 9, 2005; and

Whereas, Ryan has decided to resign his position with the fire division due to educational reasons; and

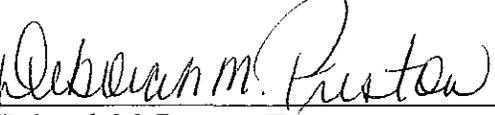
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Ryan Smith, and termination of his employment is effective September 13, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 13, 2011
GSR:mrm

RESOLUTION #127-2011

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
PUBLIC WORKS DIRECTOR**

Whereas, Dan Mayberry has successfully served as Miami Township's Public Works Director since October 1, 2006; and

Whereas, a five (5)-year performance evaluation has been conducted by the Assistant Township Administrator and his evaluation and recommendation have been completed; and

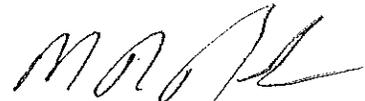
Whereas, the Miami Township Board of Trustees has reviewed the evaluation and recommendation of the Assistant Township Administrator; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a salary increase for Dan Mayberry, to an annual rate of pay of \$81,833.42, effective October 1, 2011;

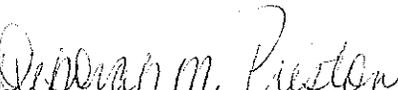
Further More Be It Resolved, the Miami Township Board of Trustees authorizes an incentive package that is outlined in Attachment 1.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 27, 2011
GAH:seb

RESOLUTION #128-2011

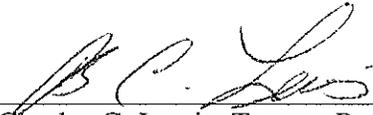
RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
PRELIMINARY DEVELOPMENT PLAN FOR AUSTIN SPRINGS PHASE
II UNDER ZONING CASE #370-05, FOR LANDS ZONED "PD-1",
PLANNED RESIDENTIAL

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, September 27, 2011; and

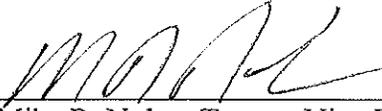
Whereas, Zoning Case #370-05, filed by J.C. Hart Company, Inc., proposes adoption of a major modification to the preliminary development plan for the construction of 43 two (2) and three (3) bedroom townhomes on 4.13 acres and for lands zoned "PD-1", Planned Residential; and

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

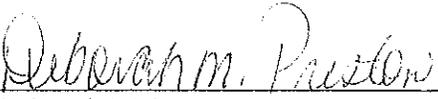
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES the Major Modification to a Preliminary Development Plan under Zoning Case #370-05 and UPHOLDS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

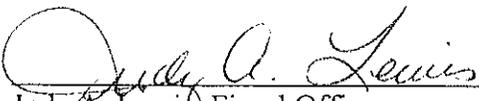


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 27, 2011
GAH:mrm

RESOLUTION #129-2011

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

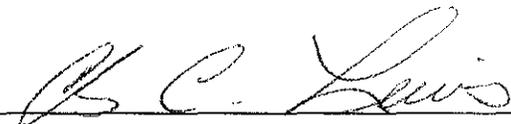
Whereas, the Board of Zoning Appeals is made up of five members and one alternate; and

Whereas, the Board currently has a vacancy for an alternate; and

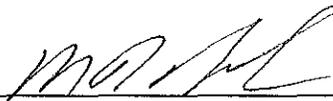
Whereas, J. Micah North has expressed an interest to serve the Board as the alternate; and

Whereas, the Planner has made a recommendation to the Board of Trustees; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints J. Micah North to the position of alternate member of the Board of Zoning Appeals, with a term ending December 31, 2011, effective September 27, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 27, 2011
GAH:mrm

RESOLUTION #130-2011

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
205,000 SQUARE FOOT, 2 STORY PARKING STRUCTURE UNDER
ZONING CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED MIXED-
USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 11, 2011; and

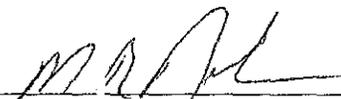
Whereas, Zoning Case #222-88, filed by R.G. Properties, Inc., proposes adoption of a final development plan for a 205,000 square foot, 2 story parking structure for lands zoned "PD-5", Planned Mixed-Use; and

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

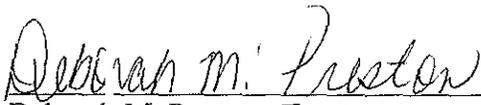
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan under Zoning Case # 222-88 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

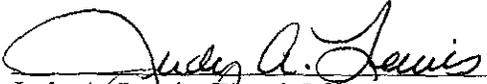


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 11, 2011
GSR:seb

RESOLUTION #131-2011

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

Whereas, Dennis Smith has served on the Miami Township Zoning Commission since October 22, 2003 as a regular and alternate member; and

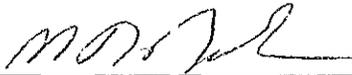
Whereas, Dennis Smith has served Miami Township in good stead as a Zoning Commission member; and

Whereas, Dennis Smith has given notice that he will resign his position, effective October 12, 2011; and

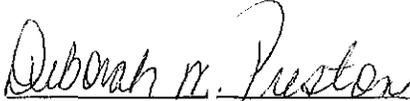
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Dennis Smith, and termination of his appointment as a regular member is effective October 12, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 11, 2011

GSR:mrm

RESOLUTION #132-2011

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

Whereas, the Zoning Commission is made up of five regular members and one alternate;
and

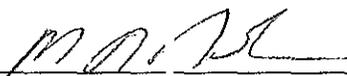
Whereas, there is a need to fill the alternate position formerly held by Dennis Smith; and

Whereas, the Assistant Planning Director has made a recommendation to the Board of
Trustees; and

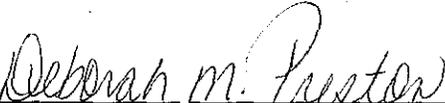
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Sharon J. Brocker
to serve on the Zoning Commission effective October 12, 2011 as an alternate
member for the remainder of Mr. Smith's unexpired term of office ending on
December 31, 2011.



Charles C. Lewis, Trustee President

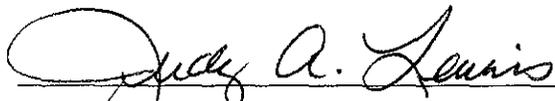


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 11, 2011
GSR:mmm

RESOLUTION #133-2011

RESOLUTION TO INITIATE A ZONING TEXT AMENDMENT

Whereas, Miami Township received a request to consider installation of digital outdoor advertising displays in Miami Township; and

Whereas, the Miami Township Planning & Zoning Department has held several work sessions to discuss and review potential modifications necessary to permit installation of digital outdoor advertising displays; and

Whereas, the Assistant Planning & Zoning Director has made a recommendation to amend Article 2, Definitions and Article 41, Sign Regulations, of the Miami Township Zoning Resolution; and

Whereas, the Miami Township Board of Trustees desires to have said amendments to the Outdoor Advertising Standards reviewed in a public hearing; and

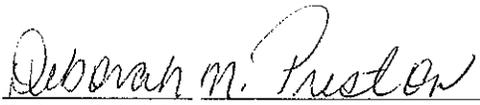
Therefore Be It Resolved, the Miami Township Board of Trustees directs the staff to file an application with the Miami Township Zoning Commission requesting amendment of Article 2 Definitions and Article 41 Sign Regulations.



Charles C. Lewis, Trustee President

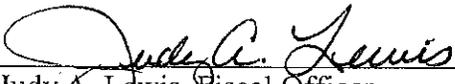


Mike R. Nolan Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 11, 2011
GSR:seb

RESOLUTION #134-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

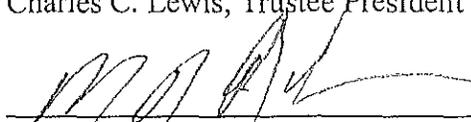
Whereas, Barry Deaton has been a part-time firefighter/medic since March of 2009; and

Whereas, Barry has decided to resign his position with the fire division due to obtaining a full-time position with the Clearcreek Fire Department; and

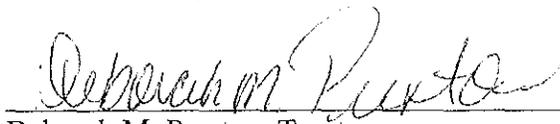
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Barry Deaton, and termination of his employment is effective October 25, 2011.



Charles C. Lewis, Trustee President

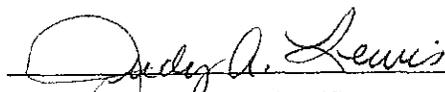


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 25, 2011
GSR:mrm

RESOLUTION #135-2011

**RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE
CITY OF DAYTON AND THE MIAMI TOWNSHIP BOARD OF
TRUSTEES ALLOWING THE MIAMI TOWNSHIP POLICE
DEPARTMENT TO PARTICIPATE IN THE OVI COUNTYWIDE
TASK FORCE**

Whereas, the City of Dayton (Lead Agency) and the Miami Township Board of Trustees desire to enter into an agreement to allow the Miami Township Police Department to participate in the OVI Countywide Task Force and receive reimbursement for overtime hours worked plus benefits; and

Whereas, Miami Township is authorized by the Ohio Revised Code to enter into contractual agreements with other governmental agencies for the purpose of creating task force solutions to community problems and receiving reimbursement from grants for actual expenses incurred while participating in the task force; and

Whereas, the Chief of Police is satisfied that participation in the OVI Countywide Task Force is in the best interest of the Miami Township Police Department and the citizens of Miami Township and Montgomery County; and

Therefore Be It Resolved, the Miami Township Board of Trustees approve entering into an agreement with the City of Dayton (Lead Agency) that will allow the Miami Township Police Department to participate in the OVI Countywide Task Force effective October 25, 2011 (Agreement attached.)



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 25, 2011

GSR:mrm

GSR:mrm

RESOLUTION #136-2011

RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN FOR A HOSPITALITY BUILDING UNDER ZONING CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 25, 2011; and

Whereas, Zoning Case #222-88, filed by Austin Landing Associates, LTD. proposes adoption of a major modification to the final development plan for a Hilton Garden Inn for lands zoned "PD-5", Planned Mixed-Use; and

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

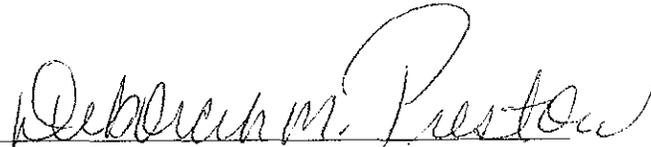
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan under Zoning Case #222-88 and ACCEPTS the Zoning Commission recommendation.



Charles C. Lewis, Trustee President

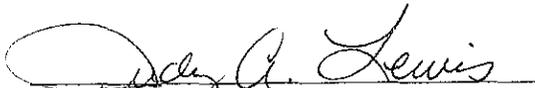


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 25, 2011

GSR:seb

RESOLUTION #137-2011

RESOLUTION TO ACCEPT THE AMOUNTS AND RATES, AS DETERMINED BY THE BUDGET COMMISSION, AND TO AUTHORIZE THE NECESSARY TAX LEVIES, AND TO CERTIFY THEM TO THE COUNTY AUDITOR

Whereas, the Board of Trustees of Miami Township, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2011; 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 the Board, and what part thereof is without, and what part within, the ten (10) mill tax limitation; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, 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, there be and hereby is levied on the tax duplicate of said Township, the rate of each tax necessary to be levied within and without the ten (10) mill limitation, as listed on the attached documents; and

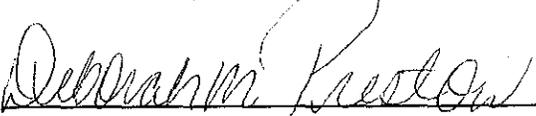
Be It Further Resolved, the Fiscal Officer of this Board be and hereby is directed to certify a copy of the Resolution to the County Auditor of Montgomery County.



Charles C. Lewis, Trustee President

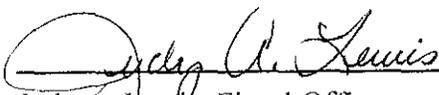


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 25, 2011
GSR:seb

RESOLUTION #138-2011

**A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A ROADWAY EASEMENT**

- Whereas,** Shok Properties owns land on the south side of Kingsridge Drive identified as Parcel K45 02604 0138; and
- Whereas,** Shok Properties has agreed to provide a roadway easement under Zoning Case #144-84 approved on May 19, 2011; and
- Whereas,** Miami Township desires to obtain a roadway easement for public improvements in the future as shown and described in Exhibit A & B; and
- Whereas,** Miami Township has prioritized sidewalks and streetscape improvements on Kingsridge Drive; and

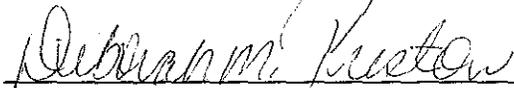
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator, to sign and execute a roadway easement to provide for future sidewalk and public amenities along Kingsridge Drive.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 25, 2011

GSR:mmm

RESOLUTION #139-2011

A RESOLUTION APPROVING, AND AUTHORIZING THE EXECUTION AND DELIVERY OF, AN ENGAGEMENT LETTER WITH BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP TO PROVIDE LEGAL SERVICES

Whereas, Miami Township (Montgomery County), Ohio (the "Township") needs the services of nationally recognized bond counsel from time to time in connection with the issuance of obligations and in connection with economic development activities; and

Whereas, Benesch, Friedlander, Coplan & Aronoff LLP ("Benesch") is a nationally recognized bond counsel firm and has extensive experience with private-public and economic projects and developments; and

Whereas, this Board desires to retain Benesch to provide legal services in connection with the issuance of the obligations and the related documents;

Therefore Be It Resolved, the Board of Township Trustees of Miami Township (Montgomery County), Ohio:

Section 1. It is in the best interests of the Township to retain Benesch to provide legal services in connection with the terms and conditions set forth in the engagement letter now on file with this Board.

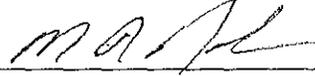
Section 2. The engagement letter now on file with this Board is approved and the Township Administrator is authorized to sign and deliver, in the name and on behalf of the Township, the acceptance of that engagement letter substantially in the form now on file with this Board with such changes that are not materially adverse to the interests of the Township and are approved by the Township Administrator. The signing and delivery of the acceptance of the engagement letter by the Township Administrator shall be conclusive evidence that any changes therein are not materially adverse to the Township and have been approved by the Township Administrator.

Section 3. All formal actions of this Board concerning and relating to the adoption of this resolution, and all deliberations of this Board or any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 4. This resolution shall be in full force and effect immediately upon its adoption.



Charles C Lewis, Trustee President

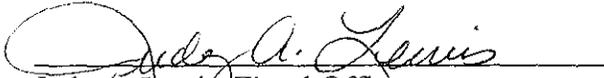


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 25, 2011

GAH:seb

RESOLUTION #140-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP'S PARTICIPATION
IN AN ED/GE APPLICATION**

- Whereas,** the Miami Township Board of Trustees has determined that a need exists to assist Mafcote, Inc. in the relocation to a larger facility located in Miami Township and Montgomery County from an existing facility located outside of Montgomery County; and
- Whereas,** Mafcote, Inc. would otherwise relocate to a facility outside of the State of Ohio; and
- Whereas,** Mafcote, Inc. provides the opportunity to create 12 with a potential for 65 full time positions that are new to Montgomery County; and
- Whereas,** Mafcote, Inc. has committed to make approximately \$20 million in investment to the building and equipment; and
- Whereas,** there is a need for assistance with infrastructure improvements in support of the \$20 million; and
- Whereas,** the Montgomery County ED/GE program has been identified as an appropriate source of grant monies to pay a portion of infrastructure expense; and

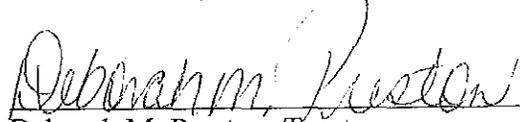
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to submit an ED/GE application for the Fall 2011 ED/GE funding cycle.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 25, 2011
GSR:seb

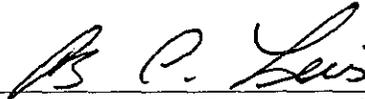
RESOLUTION #141-2011

RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE

Whereas, Richard Redelberger has been a part-time firefighter/medic since March 24, 2010;
and

Whereas, Richard has decided to resign his position with the fire division due to other
employment issues; and

Therefore **Be It Resolved**, the Miami Township Board of Trustees accepts the letter of
resignation from Richard Redelberger, and termination of his employment is
effective November 8, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

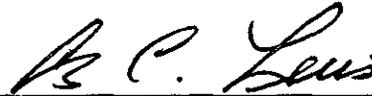
GSR:mrm

RESOLUTION #142-2011

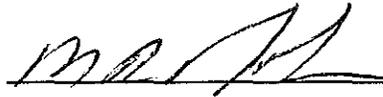
**RESOLUTION ESTABLISHING A LIGHTING DISTRICT UNDER
THE OHIO REVISED CODE CHAPTER 515**

- Whereas,** parties listed attached as exhibit A petitioned for a lighting district for Austin Landing; and
- Whereas,** a public hearing was advertised according to law, and was held on this date; and
- Whereas,** the developer wishes to establish the lighting district and install the street lights as the streets are constructed; and
- Whereas,** the board finds that lighting is necessary for the public safety and welfare;
- Whereas,** the board finds that this petition meets the requirements of Chapter 515 of the Revised Code; and

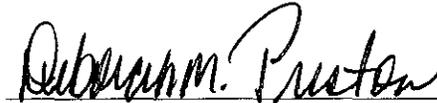
Therefore Be It Resolved, the Miami Township Board of Trustees establishes the **Austin Landing Lighting District**, consisting of 134.0851 acres (see exhibit B attached metes and bounds of lighting district).



Charles C. Lewis, Trustee President

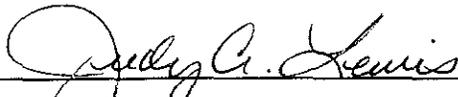


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

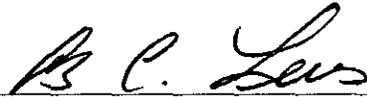
GAH:kah

RESOLUTION #143-2011

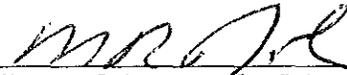
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A MAINTENANCE AGREEMENT WITH WYCOM**

- Whereas,** Miami Township has a need for a check signer to sign all accounts payable and payroll checks; and
- Whereas,** Wycom is both experienced and qualified to provide this maintenance, which covers all parts and labor for repairing the check signer in the event of mechanical failure; and
- Whereas,** the agreement shall be in effect for 12 consecutive months, until December 2012; and

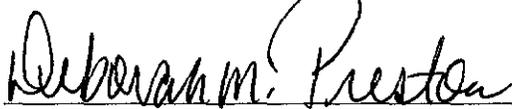
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, to enter into an agreement with Wycom for the maintenance of the check signer, effective immediately.



Charles C. Lewis, Trustee President

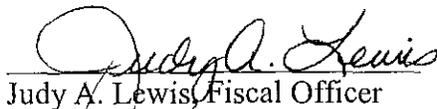


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

GSR:seb

RESOLUTION #144-2011

**RESOLUTION TO DECLARE CERTAIN FIRE DEPARTMENT
EQUIPMENT AS SURPLUS PROPERTY TO BE DISPOSED OF**

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

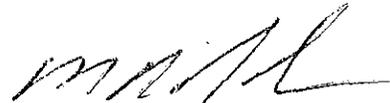
Whereas, regulations are being followed in accordance with the Ohio Revised Code; and

Whereas, the Miami Township Fire Department has articles or equipment which are no longer needed, broken and/or worn out and are beyond useful purposes; and

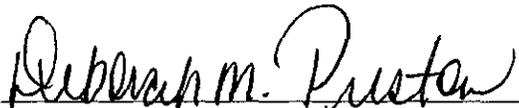
Therefore Be It Resolved, that in accordance with the Ohio Revised Code, Section 505.10 that the Miami Township Board of Trustees declares the attached list of items to be disposed of, sold, or traded-in, as they are marked accordingly, and removed from the Fire Department inventory.



Charlie C. Lewis, Trustee President

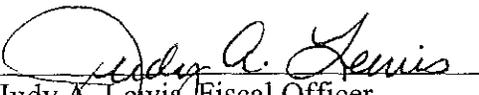


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:mrm

RESOLUTION #145-2011

RESOLUTION TO AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS AND THE MIAMI TOWNSHIP POLICE DEPARTMENT THAT ALLOWS THE MIAMI TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE MONTGOMERY COUNTY JUSTICEWEB AND CITY OF DAYTON EXECUTIVE INFORMATION SYSTEM (EIS) PROJECT

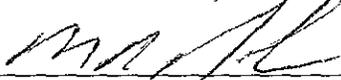
Whereas, the Montgomery County Board of Commissioners (Lead Agency) and the Miami Township Police Department desire to enter into a Memorandum of Understanding to allow the Miami Township Police Department to participate in the grant funded Justice Web/EIS Project and receive and share criminal justice information; and

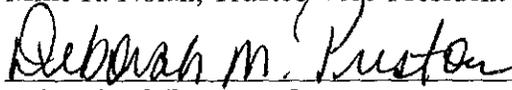
Whereas, the Miami Township Police Department is authorized by the Ohio Revised Code to enter into a Memorandum of Understanding with other governmental agencies for the purpose of creating partnerships that provide solutions to criminal justice related problems through the use of information sharing; and

Whereas, the Chief of Police is satisfied that participation in the Montgomery County Justice Web and City of Dayton Executive Information System Project is in the best interest of the Miami Township Police Department and the citizens of Miami Township and Montgomery County; and

Therefore Be It Resolved, the Miami Township Board of Trustees approve the Chief of Police entering into a Memorandum of Understanding with the Montgomery County Board of Commissioners (Lead Agency) that will allow the Miami Township Police Department to participate in the grant funded Montgomery County Justice Web and City of Dayton Executive Information System (EIS) Project at no expense to the Miami Township Police Department effective November 8, 2011 (Agreement attached.)


Charlie C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice-President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:mrm

RESOLUTION #146-2011

**RESOLUTION TO APPROVE A PAY INCREASE FOR
A PARKS DEPARTMENT SUPERVISOR**

Whereas, Rex Gore has successfully served five (5) years as Parks Supervisor for the Public Works Department; and

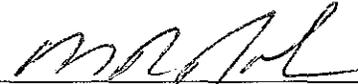
Whereas, a performance evaluation has been conducted by the Public Works Director, and an evaluation and recommendation has been completed; and

Whereas, the Miami Township Board of Trustees has reviewed the evaluation and the recommendation of the Public Works Director; and

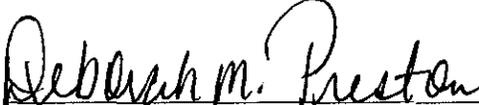
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Rex Gore, Pay Grade E, to an annual rate of pay of \$61,790.16, effective November 28, 2011.



Charles C. Lewis, Trustee President

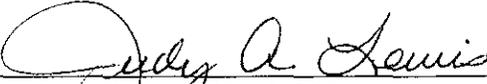


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:seb

RESOLUTION #147-2011

**A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION
AND DELIVERY OF AN INVESTMENT BANKING AGREEMENT
BETWEEN STERN BROTHERS & COMPANY AND MIAMI TOWNSHIP
IN CONNECTION WITH BOND AND NOTE ISSUES OF THE
TOWNSHIP**

WHEREAS, the Township anticipates having various financing needs during the next few months and wishes to ensure that it is able to fix the costs of its financings and to ensure that it has available to it the necessary current information regarding the capital markets and investors so that its securities can be issued in a timely and advantageous fashion, in accordance with a predetermined budget; and

WHEREAS, the Township has determined to retain the services of Stern Brothers & Company to provide investment banking services to the Township through September 30, 2012;

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

Section 1. The Board of Trustees of the Township hereby authorizes the execution and delivery of an Investment Banking Agreement (“Agreement”) on behalf of the Township by the Township Administrator. Such Agreement shall be in the form now on file with the Fiscal Officer with any changes therein as are permitted by applicable law, and determined by such officers to be in the best interest of the Township, and the fact that any such changes are permitted by applicable law and in the best interest of the Township shall be conclusively evidenced by execution of the Assignment by those officers. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Assignment.

Section 2. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. It is found and determined that all formal actions of this Board concerning and relating to the passage of this ordinance were passed in an open meeting of this Board, and that all such 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.

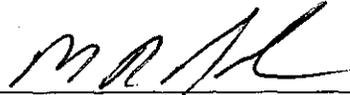
Section 4. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 5.

This Resolution shall take effect from and after its adoption, as provided by law.



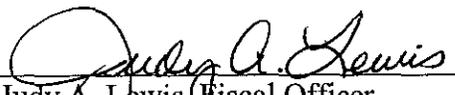
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GAH:seb

RESOLUTION #148-2011

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PROJECT MANAGEMENT AND FINANCING AGREEMENT FOR THE AUSTIN PLACE PROJECT

- Whereas,** the Miami Township (Montgomery County), Ohio (the "Township") and the Montgomery County Transportation Improvement District (the "District") previously entered into a Project Financing and Development Agreement dated April 28, 2008 (the "Project Development Agreement") pursuant to which the Township and the District, along with the City of Miamisburg, Ohio (the "City"), established a project area in the vicinity of the Dayton Mall in which the Township, the District and the City agreed to jointly finance and implement, pursuant to Section 555.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended by Sub. S.B. 36 of the 127th General Assembly, certain development projects to encourage public and private development within the Township and the City generally, and to contribute to the improvement of the prosperity, health, safety and welfare of the people of the County and to promote industry, commerce, distribution, and research activity within the County; and
- Whereas,** the Project Development Agreement provides that two or more of the parties to the Project Development Agreement may enter into a supplemental agreement that shall set forth in more detail each of their respective obligations with respect to the financing and development of the one of the project identified in the Project Development Agreement; and
- Whereas,** the Project Development Agreement identifies one of such projects as the "Austin Place Development Road Construction at Wood Road" and such project involves the construction of a roadway servicing certain property owned by the Township ("Austin Place Loop Road"); and
- Whereas,** the Township has requested that the District undertake the engineering and design of Austin Place Loop Road; and
- Whereas,** the Township desires to enter into a project management and financing agreement to memorialize certain understandings relating to the scope of the work and the respective obligations of the District and the Township with respect to the construction the Austin Place Loop Road; and

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

Section 1. Approval of Project Management and Financing Agreement. The Project Management and Financing Agreement 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, the Project Management and Financing Agreement with such changes

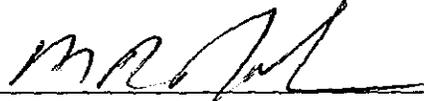
that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Administrator, all of which shall be evidenced conclusively by the signing of the Project Management and Financing Agreement by the Administrator.

Section 2. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 3. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



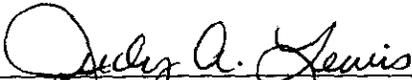
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

GSR:scb

RESOLUTION #149-2011

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT FOR THE AUSTIN LANDING PHASE II PROJECT

Whereas, Pursuant to a Memorandum of Understanding dated November 26, 2008 among R.G. Properties, Inc. (the "Developer"), the Montgomery County Transportation Improvement District (the "District"), Miami Township (Montgomery County), Ohio (the "Township") , the Board of County Commissioners of the County of Montgomery, Ohio (the "County"), the City of Miamisburg, Ohio and the City of Springboro, Ohio, those parties have proceeded with the implementation of a master plan based on a preliminary conceptual plan prepared by Developer for the certain property and other land owned by Developer in the Austin Interchange Area, and Developer has obtained from the Township appropriate zoning of such property supporting a mixed use development as contemplated by the master plan; and

Whereas, the County, the District and the Developer entered into development agreement for the first phase of development of Austin Landing; and

Whereas, the Developer is now prepared to proceed to construct certain private improvements, and Developer is prepared to use its best efforts to commence such construction with the objective of having the such private improvements appear on the County tax duplicate as of January 1, 2014; and

Whereas, the Township believes that such private improvements will promote the highest and best use of certain real property through the development of amenities and employment opportunities that will encourage knowledge workers to live, work and recreate in the Township and benefit the entire region, and to that end, the District and the Township are willing to pursue and provide financial support for certain public improvements, supporting the development of such property, and which will, in turn, support the entire Austin Interchange Area; and

Whereas, the Township desires to enter into a development agreement to memorialize certain understandings relating to the scope of the work and the respective obligations of the District, the Township and the Developer in connection with the second phase of the development of Austin Landing; and

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

Section 1. Approval of Development Agreement. The Austin Landing Phase II Development Agreement 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, the Austin Landing Phase II Development Agreement with such changes that are not

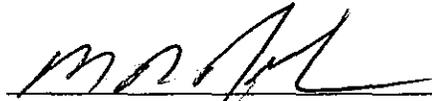
inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Administrator, all of which shall be evidenced conclusively by the signing of the Development Agreement by the Administrator.

Section 2. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 3. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

GSR:seb

RESOLUTION #150-2011

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A NOTE IN A MAXIMUM PRINCIPAL AMOUNT OF \$9,600,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, OF CONSTRUCTING TRANSPORTATION IMPROVEMENT PROJECTS, INCLUDING BUT NOT LIMITED TO A PARKING GARAGE AND SURFACE STREETS, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, CONSTRUCTING SIDEWALKS, INSTALLING TRAFFIC SIGNALIZATION AND SIGNAGE, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; AUTHORIZING THE PREPARATION AND USE OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL TERMS CERTIFICATE, A NOTE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A NOTE REGISTRAR AGREEMENT, AND A 2011 PROJECTS AGREEMENT

- Whereas,** Miami Township (Montgomery County), Ohio (the "*Township*") desires to work cooperatively with Montgomery County Transportation Improvement District (the "*District*") in connection with the construction of transportation improvement projects, including but not limited to a parking garage and surface streets, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, constructing sidewalks, installing traffic signalization and signage, and acquiring related interests in real property, together with all necessary appurtenances thereto (collectively, the "*Project*"); and
- Whereas,** the Project constitutes a "project" as defined in Ohio Revised Code Section 5540.01; and
- Whereas,** Section 755.20 of Am. Sub. H.B. 153 of the 129th General Assembly ("*Section 755.20*") provides that once an agreement authorized by Section 755.20 in is effect, the Township may issue securities pursuant to Chapter 133 of the Ohio Revised Code for transportation projects such as the Project, and the District may purchase those securities from the Township; and
- Whereas,** this Board finds that it is in the best interest of the Township to work cooperatively with the District by entering into one or more agreement authorized by Section

755.20, by issuing a note in anticipation of the bonds for the purpose of paying the costs of the Project and by selling that note to the District; and

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“*Act*” means, collectively, Ohio Revised Code Chapter 133 and Section 755.20.

“*Administrator*” means the Administrator of the Township.

“*Authorized Denomination*” means the aggregate principal amount of the Note.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Note is issued.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Note.

“*Code*” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement authorized by this Resolution and made by for the benefit of the owners and beneficial owners of the District Notes in accordance with the Rule.

“*District*” means the Montgomery County Transportation Improvement District.

“*District Note Resolution*” means the resolution adopted by the Board of Trustees of the Township authorizing the District Notes.

“*District Notes*” means the Notes issued in anticipation bonds by the District for the purpose of purchasing the Note and paying costs of the Project.

“*Final Terms Certificate*” means the Final Terms Certificate authorized by this Resolution to be executed by the Fiscal Officer.

“*Fiscal Officer*” means the Fiscal Officer of the Township.

“*Maturity Date*” means the date identified in the Final Terms Certificate and which date shall be determined by the Fiscal Officer to be necessary or advisable to the sale of the Note; *provided* that such date shall not be more than one year following the Closing Date.

“*Note*” means the Note authorized in Section 3.

“*Note Proceedings*” means, collectively, this Resolution, the Final Terms Certificate, the Continuing Disclosure Agreement, the Note Purchase Agreement and such other proceedings of the Township, including the Note, that provide collectively for, among other things, the rights of the owner of the Note.

“*Note Purchase Agreement*” means the Note Purchase Agreement among the District, the Township and the Original Purchaser authorized by this Resolution.

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of Note as provided in this Resolution and the Note Registrar Agreement.

“*Note Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Final Terms Certificate as the initial authenticating agent, note registrar, transfer agent and paying agent for the Note under the Note Registrar Agreement and until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, “*Note Registrar*” shall mean the successor Note Registrar.

“*Note Registrar Agreement*” means the Note Registrar Agreement among the Township, the District and the Note Registrar authorized by this Resolution.

“*Original Purchaser*” means Stern Brothers & Co. as the original purchaser of the District Notes.

“*Project*” means the construction of transportation improvement projects, including but not limited to a parking garage and surface streets, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, constructing sidewalks, installing traffic signalization and signage, and acquiring related interests in real property, together with all necessary appurtenances thereto.

“*Project Management and Financing Agreement*” means the Austin Landing Phase II Project Management and Financing Agreement between the Township and the District authorized by this Resolution.

“*Rule*” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“*Section 755.20*” means Section 755.20 of Am. Sub. H.B. 153 of the 129th General Assembly.

“*Township*” means Miami Township (Montgomery County), Ohio.

“*2011 Projects Agreement*” means the 2011 Projects Agreement between the Township and the District authorized by this Resolution.

Capitalized terms not otherwise defined in this Resolution have the meanings assigned to them in the Act. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorization of Bonds. It is necessary to issue bonds in a maximum principal amount of \$9,600,000 for the purpose of paying the costs of the Project.

The Bonds shall be dated approximately December 1, 2012, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2013.

Section 3. Authorization of the Note; Principal Amount and Purpose; Application of Proceeds. It is necessary to issue and this Board determines that a note in a maximum principal amount of \$9,600,000 shall be issued by the Township in anticipation of the issuance of the Bonds for the purpose paying costs of the Project and paying any financing costs. The principal amount of Note to be issued (not to exceed \$9,600,000) shall be determined by the Fiscal Officer in the Final Terms Certificate as the amount which is necessary to pay the costs of the Project and any financing costs. The Note shall be designated “Transportation Improvements Note, Series 2011 (Austin Landing Phase II Project)”. The Note shall be issued pursuant to the Act, this Resolution and the Final Terms Certificate.

The proceeds from the sale of the Note, except any premium or accrued interest, shall be deposited in an appropriate fund in accordance with the 2011 Projects Agreement and the Project Financing and Management Agreement used pay the costs of the Project and financing costs. Any premium or accrued interest from the sale of the Note shall be deposited in the Bond Retirement Fund and used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from proceeds of the sale of the Note (including any interest on such interest) shall be credited to that fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All the

proceeds from the sale of the Note are hereby appropriated for the purposes set forth above.

Section 4. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Note shall be issued in one lot and only as a single fully registered note, in the Authorized Denomination. The Note shall be dated as provided in the Final Terms Certificate, provided that its dated date shall not be more than sixty (60) days prior to the Closing Date.

- (a) Interest Rate and Payment. The Note shall bear the rate of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Fiscal Officer in the Final Terms Certificate; *provided, however,* the Note shall bear the same rate of interest as the District Notes. The net interest rate per year for the Note determined by taking into account the principal amount of the Note and term to maturity shall not exceed 6.00% per year. Interest on the Note shall be payable at maturity and until the principal amount is paid or payment is provided for.
- (b) Principal Payment. The Note shall mature, and the principal thereon shall be payable, on the Maturity Date.
- (c) Payment of Principal of and Interest on the Note. The principal of and interest and any premium on the Note shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Note shall be payable when due upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar.
- (d) Redemption Provisions. The Note may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Final Terms Certificate.

Any notice of the call for redemption of Note shall identify (i) by designation, letters, numbers or other distinguishing marks, the Note, (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. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of the Note at the registered owner's address shown on the Note Register maintained by the Note Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding the Note, however, shall not affect the validity of the proceedings for the redemption of the Note.

In the event that notice of redemption shall have been given by the Note Registrar to the registered owner as provided above, there shall be deposited with the Note

Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of the Note. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Note shall become due and payable on the redemption date, and, subject to the provisions of Section 6, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of the Note, together with accrued interest thereon to the redemption date, are held by the Note Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date the Note shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, the Note shall continue to bear interest, until it is paid, at the same rate as it would have borne had it not been called for redemption. All moneys held by the Note Registrar for the redemption of the Note shall be held in trust for the account of the registered owner thereof and shall be paid to the registered owner, respectively, upon presentation and surrender of the Note, provided that any interest earned on the moneys so held by the Note Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the redeemed Note.

- (e) Note Provisions to be Consistent with District Notes. The provisions of the Note, including, but not limited to, the aggregate principal amount, the interest rate, the dates of delivery and maturity, and the related redemption provisions, shall be the same as the District Notes; *provided, however*, (i) the District Notes shall be special obligations of the District and the Note shall be a general obligation of the Township, and (ii) the District Notes may be issued in denominations other than the Authorized Denomination.

Section 5. Execution and Authentication of Note; Appointment of Note Registrar. The Note shall be signed by at least two members of this Board and the Fiscal Officer, in the name of the Township and in their official capacities, *provided* that any or all of those signatures may be a facsimile. The Note shall be issued in the Authorized Denomination, shall be numbered as determined by the Fiscal Officer in order to distinguish each Note from any other Note and shall express upon it face the purpose, in summary terms, for which it is issued and that it is issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Final Terms Certificate the initial Note Registrar. The Note Registrar Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Registrar Agreement 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 evidenced by the signing of the Note Registrar Agreement by the Fiscal Officer.

The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement, from the proceeds of the Note to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

The Note shall not be valid or obligatory for any purpose or shall not be entitled to any security or benefit under the Note Proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on each Note.

Section 6. Registration; Transfer and Exchange.

- (a) Note Register. So long as any of the Notes remains outstanding, the Township will cause the Note Registrar to maintain and keep the Note Register at its designated corporate trust office. The person in whose name the Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note Proceedings. Payment of or on account of the principal of and interest on the Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. The Note may be exchanged for a Note in the Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note in the Authorized Denomination and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of a Note only after the new Note is signed by the authorized officers of the Township. In all cases of a Note exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver a Note in accordance with the provisions of the Note Proceedings. The exchange or transfer

shall be without charge to the owner, except that the Township and Note 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 Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. A Note issued and authenticated upon any exchange or transfer shall be a valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note Proceedings as the Note surrendered upon that exchange or transfer. Neither the Township nor the Note Registrar shall be required to make any exchange or transfer of the Note if it has been called for redemption.

Section 7. Sale of the Note to the District. It is determined to be in the best interest of the Township that the Note shall be sold at private sale to the District at a purchase price, not less than 98% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Final Terms Certificate, plus accrued interest (if any) on the Note from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Resolution to be specified in the Final Terms Certificate, in accordance with law and the provisions of this Resolution.

The Fiscal Officer shall sign and deliver the Final Terms Certificate and shall cause the Note to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Note, to the District upon payment of the purchase price.

The Note Purchase Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Purchase Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Note Purchase Agreement by the Fiscal Officer.

Members of this Board, the Administrator, the Fiscal Officer and any other Township officials, or any of them, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 8. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Note is outstanding in an amount sufficient to pay the principal of and interest on the Note when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Note when and as the same fall due.

Section 9. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Note in such manner and to such extent as may be necessary so that (a) the Note will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Note will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Note to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Note to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer of this Township, or any other officer of the Township having responsibility for issuance of the Note is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Note as the Township is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Note or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Note, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Note, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, 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 Note, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Note, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Note, the facts, circumstances and estimates on which they are based,

and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Note. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Note is specifically authorized to designate the Note as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 10. Official Statement, Rating and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. If the District determines it is necessary or appropriate to prepare disclosure documents in connection with the sale of the District Notes, members of this Board, the Administrator and the Fiscal Officer are authorized and directed, on behalf of the Township and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the District Notes, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the District Notes, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.
- (b) Application for Ratings or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Note or the District Notes by one or more nationally recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of the principal and interest on the Note or the District Notes, the Fiscal Officer is authorized to prepare and submit such applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Note Purchase Agreement, from the proceeds of the Note 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.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the District Notes, the Township agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the Township, in substantially the form as

is now on file with this Board. The Continuing Disclosure Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Continuing Disclosure Agreement with such any changes that are not inconsistent with this Resolution, are not substantially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with its Continuing Disclosure Agreement, 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 its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 11. 2011 Projects Agreement and Project Management and Financing Agreement. The 2011 Projects Agreement provides generally for issuance of the Note and the Bonds to pay costs of the Project and for the District to purchase the Note and the Bonds, all as authorized by Section 755.20, and the Project Management and Financing Agreement sets forth obligations of the Township and the District as to the joint planning, financing, construction, acquisition, improvement and implementation of the Project. The 2011 Projects Agreement and the Project Management and Financing Agreement now on file with this Board are approved, and the Administrator is authorize to, on behalf and in the name of the Township, sign and deliver the 2011 Projects Agreement and the Project Management and Financing Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township and are approved by the Administrator, all of which shall be conclusively evidenced by the signing of the 2011 Projects Agreement and the Project Management and Financing Agreement by the Administrator.

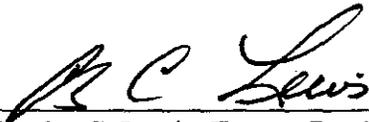
Section 12. Certification and Delivery of Resolution and Final Terms Certificate. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Final Terms Certificate to the County Auditor.

Section 13. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be done or performed by the Township or to have been met precedent to and in the issuing of the Note in order to make it a legal, valid and binding general obligation of the Township have been performed and have been met, or will at the time of delivery of the Note have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the Township are pledged for the timely payment of the principal and interest on the Notes; and that no statutory or

constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Note.

Section 14. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution, and all deliberations of this Board and any of its committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



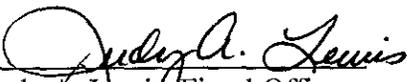
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attest:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:sld

RESOLUTION #151-2011

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$5,400,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF ACQUIRING AND CONSTRUCTING PARK IMPROVEMENTS AND EQUIPMENT, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES; 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 FINAL TERMS CERTIFICATE, A NOTE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A NOTE REGISTRAR AGREEMENT

Whereas, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement (as defined in Section 1) is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 25 years based upon the weighted average of the amounts allocated to the several classes of improvements set forth in the Fiscal Officer's Certificate, which allocation is approved, ratified and confirmed, and the maximum maturity of the Notes is 20 years; and

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

"Administrator" means the Administrator of the Township.

"Authorized Denominations" means the denomination of \$5,000 or any integral multiple thereof.

"Board" means the Board of Township Trustees of the Township.

"Bonds" means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

"Book entry form" or *"book entry system"* means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository

or its nominee as registered owner, with the Notes “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

“*County Auditor*” means the County Auditor of the County of Montgomery, Ohio

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“*Final Terms Certificate*” means the Final Terms Certificate authorized by this Resolution to be executed by the Fiscal Officer.

“*Fiscal Officer*” means the Fiscal Officer of the Township.

“*Improvement*” means the acquisition and construction of park improvements and equipment, including acquiring related interests in real property, together with all necessary appurtenances.

“*Note Proceedings*” means, collectively, this Resolution, the Final Terms Certificate, the Note Purchase Agreement, the Note Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

“*Note Purchase Agreement*” means the Note Purchase Agreement between the Township and the Original Purchaser authorized by this Resolution.

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

“*Note Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Final Terms Certificate as the initial authenticating agent, note registrar, transfer agent and paying agent for the Notes under the Note Registrar Agreement until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, “Note Registrar” shall mean the successor Note Registrar.

"Note Registrar Agreement" means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

"Notes" means the Notes authorized in Section 3.

"Original Purchaser" means Stern Brothers & Co.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"Township" means Miami Township (Montgomery County), Ohio.

Capitalized terms not otherwise defined in this Resolution have the meanings assigned to them in the Act. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$5,400,000 (the "Bonds") for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately December 1, 2012, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2013.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the Township's best interest to issue Notes of this Township in a maximum principal amount not to exceed \$5,400,000 to pay the costs of the Improvement and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$5,400,000) shall be determined by the Fiscal Officer in the Final Terms Certificate. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Final Terms Certificate, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Park Acquisition and Improvement Notes, Series

2011 (Federally Taxable)” and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Final Terms Certificate.

The proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the Improvement and costs of the issuance of the Notes. Any premium from the sale of the Notes shall be deposited into the Bond Retirement Fund. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Payment of Notes and Redemption Provisions.

(a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(b) Redemption Provisions.

(i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Final Terms Certificate.

(ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued

interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.

- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.
- (iv) *Payment of Redeemed Notes.* In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of all of the redeemable Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Notes and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Note Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Notes and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Note Registrar for the redemption of particular Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes.

Section 5. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Final Terms Certificate the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, on behalf and in the name of the Township, the Note Registrar Agreement with any 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 evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Note shall be valid or obligatory for any purpose or shall not be entitled to any security or benefit under the Note proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar, or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Notes.

Section 6. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note 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 Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Final Terms Certificate that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities

depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 7. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Final Terms Certificate and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Final Terms Certificate determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf and in the name of the Township, the Note Purchase Agreement 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 Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 8. Official Statement, Rating, Note Insurance and Continuing Disclosure.

(a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that

preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of, the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes 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.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under 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 now 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 evidenced by the signing of the Continuing Disclosure Agreement 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 Agreement, 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 Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 9. Proceeds of the Bonds. Proceeds received from the sale of the Bonds or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

Section 10. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 11. Certification and Delivery of Resolution and Final Terms Certificate. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Final Terms Certificate to the County Auditor.

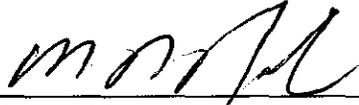
Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 10) of the Township are pledged for the timely payment of the principal of and interest on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 8, 2011

GSR:mmm

RESOLUTION #152-2011

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$1,100,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING A PEDESTRIAN AND BIKE TRAIL BETWEEN THE INTERSTATE HIGHWAY 75 AND AUSTIN BOULEVARD INTERCHANGE AND THE GREAT MIAMI RIVER, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES; 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 FINAL TERMS AGREEMENT, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

Whereas, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 30 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“Administrator” means the Administrator of the Township.

“Authorized Denominations” means the denomination of \$5,000 or any integral multiple thereof.

“Board” means the Board of Township Trustees of the Township.

“Bonds” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

“Book entry form” or *“book entry system”* means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes “immobilized” in the custody of

the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"Clerk" means the Clerk of the Board.

"Code" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

"County Auditor" means the County Auditor of the County of Montgomery, Ohio

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Final Terms Certificate" means the Final Terms Certificate authorized by this Resolution to be executed by the Fiscal Officer.

"Fiscal Officer" means the Fiscal Officer of the Township.

"Improvement" means the acquisition and construction of a pedestrian and bike trail between the Interstate Highway 75 and Austin Boulevard interchange and the Great Miami River, including acquiring related interest in real property, together with all necessary appurtenances.

"Note Proceedings" means, collectively, this Resolution, the Final Terms Certificate, the Note Purchase Agreement, the Note Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

"Note Purchase Agreement" means the Note Purchase Agreement between the Township and the Original Purchaser authorized by this Resolution.

"Note Register" means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

"Note Registrar" means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Final Terms Certificate as the initial authenticating agent, note registrar, transfer agent and paying agent for the Notes under the Note Registrar Agreement until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, "Note Registrar" shall mean the successor Note Registrar.

"Note Registrar Agreement" means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

"Notes" means the Notes authorized in Section 3.

"Original Purchaser" means Stern Brothers & Co.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"Township" means Miami Township, Montgomery County, Ohio.

Capitalized terms not otherwise defined in this Resolution have the meanings assigned to them in the Act. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2.

Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$1,100,000 for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately December 1, 2012, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2013.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the Township's best interest to issue notes of this Township in an aggregate principal amount of \$1,100,000 to pay the costs of the Improvement and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$1,100,000) shall be determined by the Fiscal Officer in the Final Terms Certificate. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Final Terms Certificate, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Park Acquisition and Improvement Notes, Series 2011 (Tax-Exempt)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Final Terms Certificate.

The proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the Improvement and costs of the issuance of the Notes. Any premium from the sale of the Notes shall be deposited into the Bond Retirement Fund. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.
- (b) Redemption Provisions.
 - (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Final Terms Certificate.
 - (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional

redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.

- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.
- (iv) *Payment of Redeemed Notes.* In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of all of the redeemable Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Notes and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Note Registrar on the redemption date, so as to be available

therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Notes and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Note Registrar for the redemption of particular Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes.

Section 5. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Final Terms Certificate the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any 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 evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Note proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar, or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Notes.

Section 6. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note 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 Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Final Terms Certificate that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing

each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 7.

Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Final Terms Certificate and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Final Terms Certificate determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement 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 Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions

contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 8. Official Statement, Rating, Note Insurance and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of, the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes 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.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under 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 now on file with the Clerk 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 Agreement 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 Agreement, 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 Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 9. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

Section 10. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 11. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity Notes, arbitrage Notes or hedge Notes under Section 141, 148 or 149 of the Code, or (ii) be treated other than as Notes to which Section 103(a) of the Code

applies, and (b) the interest thereon will not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of the proceeds of the Notes and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

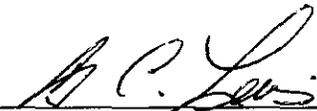
The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, 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 Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 12. Certification and Delivery of Resolution and Final Terms Certificate. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Final Terms Certificate to the County Auditor.

Section 13. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 10) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



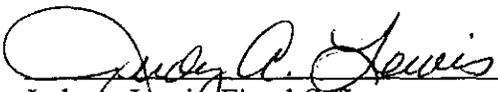
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:mmm

RESOLUTION #153-2011

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT WITH R.G. PROPERTIES, INC.

Whereas, this Board has heretofore adopted resolutions authorizing the execution and delivery of the Austin Landing Phase II Development Agreement among Miami Township (Montgomery County), Ohio (the "Township"), the Montgomery County Transportation Improvement District (the "District") and R.G. Properties, Inc. (the "Developer") and the 2011 Projects Agreement between the Township and the District relating to the construction and financing of certain transportation improvements, a park and a recreational trail; and

Whereas, this Board has heretofore authorized the issuance and sale of its Park Acquisition and Improvement Notes, Series 2011 (Federally Taxable), its Recreational Trail Acquisition and Improvement Notes, Series 2011 (Tax-Exempt) and its Transportation Improvements Notes, Series 2011 (Austin Landing Phase II Project) to finance costs of the construction of the transportation improvements, the park and the recreational trail; and

Whereas, in order for the Township to acquire interest in real property for the park from the Developer and in order to provide for the maintenance of the park and certain of the transportation improvements by the Developer, the Township and the Developer desire to enter into a lease; and

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

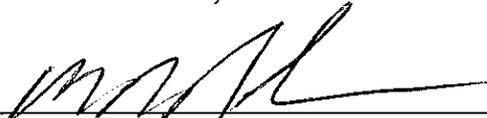
Section 1. Approval of Lease Agreement. The Lease Agreement now on file with this Board is approved, and the Administrator is authorized to sign and deliver, on behalf and in the name of the Township, the Lease Agreement with such changes that are not inconsistent with the provisions of this Resolution, 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 the Lease Agreement by the Administrator.

Section 2. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 3. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



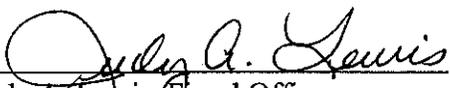
Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 8, 2011
GSR:seb

RESOLUTION #154-2011

RESOLUTION TO ACCEPT A BANK DEPOSITORY AGREEMENT

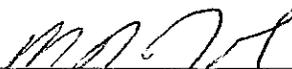
Whereas, the Ohio Revised Code requires that all public funds be collateralized, evidenced by a depository agreement; and

Whereas, the Fiscal Officer has recommended that Key Bank N.A. be designated as a depository for Miami Township public funds; and

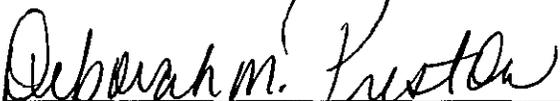
Therefore Be It Resolved, by the Miami Township Board of Trustees that Key Bank N.A. be designated as a depository.



Charles C. Lewis, Trustee President

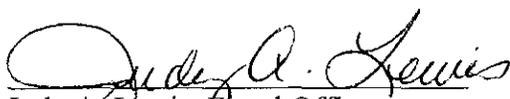


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 22, 2011
GSR:seb

RESOLUTION #155-2011

**A RESOLUTION AUTHORIZING THE BIDDING AND ADVERTISEMENT
OF REFUSE AND RECYCLING SERVICES**

- Whereas,** Miami Township has a need for refuse and recycling services; and
- Whereas,** Miami Township's current contract with Waste Management for refuse and recycling services will expire on December 31, 2011; and
- Whereas,** Miami Township desires to bid out refuse and recycling services to the lowest and best bidder; and

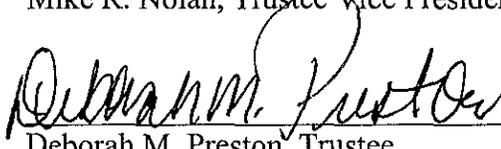
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator to release and advertise a Bid Specifications packet for the purposes of receiving bids for refuse collection and disposal services.



Charles C. Lewis, Trustee President

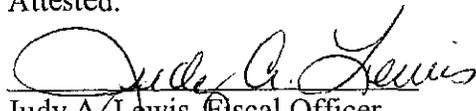


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 22, 2011

GSR:kah

RESOLUTION #157-2011

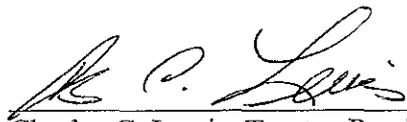
RESOLUTION TO CONTINUE SERVICES OF PATRIOT ENGINEERING AND ENVIRONMENTAL, INC. AND INCREASE COST NECESSARY FOR THE INSPECTION AND TESTING OF CONSTRUCTION MATERIAL FOR A NEW FIRE STATION AND PUBLIC WORKS FACILITY

Whereas, the Miami Township Board of Trustees has determined the need to construct a new Fire Station and Public Works Facility; and

Whereas, Miami Township hired Patriot Engineering and Environmental, Inc. to provide inspection and testing of construction material services for the new construction, with a cost not to exceed \$55,000.00, pursuant to resolution #57-2011; and

Whereas, there is a need to increase the cost of services based on time and materials due to Patriot Engineering and Environmental, Inc., conducting steel inspections; and

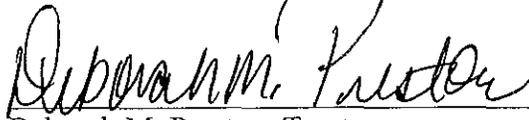
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the continued use of Patriot Engineering and Environmental, Inc. for the inspection and testing of construction material services, and steel inspection for Miami Township Fire Station 51 and Public Works Facility, with a cost to be determined based on time and materials, not to exceed \$80,000.00, effective November 22, 2011.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 22, 2011

GSR:seb

RESOLUTION #158-2011

RESOLUTION TO ADOPT A NEW OHIO FIRE CODE

Whereas, in order to properly protect the health, safety and welfare of the inhabitants of the township, this board considers it necessary and advisable to adopt a standard code pertaining to fire, fire hazards and fire prevention;

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

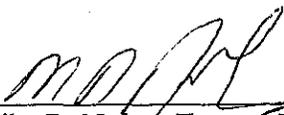
- Section 1. Pursuant to R.C. 505.373, this board hereby repeals the 2005 Ohio Fire Code, as amended to date by the Ohio State Fire Marshal and contained in Chapter 1301:7-7 of the Ohio Administrative Code, and adopted by Miami Township Board of Trustees pursuant to Resolution #155-2006.
- Section 2. Pursuant to R.C. 505.373, this board hereby repeals the 2005 Southwest Ohio Fire Safety Council (SWOFSC) Unified Standards A through K as adopted by the Southwest Ohio Fire and Safety Council and adopted by Miami Township Board of Trustees pursuant to Resolution #155-2006.
- Section 3. Pursuant to R.C. 505.373, this board hereby resolves that The Miami Township Fire Division will utilize the 2011 Ohio Fire Code as amended to date by the Ohio State Fire Marshal and contained in Chapter 1301:7-7 of the Ohio Administrative Code and by Miami Township Board of Trustees pursuant to Resolution #158-2011.
- Section 4. Pursuant to R.C. 505.373, this board hereby adopts the 2010 Southwest Ohio Fire Safety Council Unified Standards A–K as adopted by the Southwest Ohio Fire and Safety Council and adopted by Miami Township Board of Trustees pursuant to Resolution #158-2011.
- Section 5. Pursuant to R.C. 505.373, this board hereby adopts the 2011 Miami Township Permit Fee Schedule. A document that provides all the fees that are associated for operation and construction permits within Miami Township. A copy of which is hereby attached.
- Section 6. The fiscal officer is directed to:
- (a) Maintain a complete copy of the code on file in the township office, for inspection by the public;
 - (b) Keep copies of the code available for distribution to the public at cost;

- (c) Certify a copy of this resolution, together with a complete copy of the code, to the Montgomery County Law Library, 41 North Perry Street, Dayton, Ohio 45422, to be kept on file there; and
- (d) Post notice of adoption of the code in five conspicuous places in the township for at least 30 days, and also cause such notice to be published in a newspaper of general circulation in the township for three consecutive weeks. The notice shall clearly identify the code and state its purpose, and state that complete copies of the code are on file with the Miami Township fiscal officer and the Montgomery County Law Library for inspection by the public, and that the fiscal officer has copies available for distribution to the public at cost.

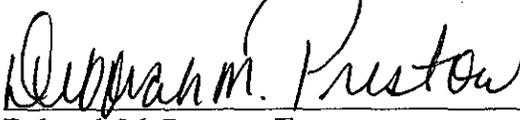
Section 7. The code shall become effective and apply throughout the township on the 31st day following the day the above notice is first posted in the township.



Charles C. Lewis, Trustee President

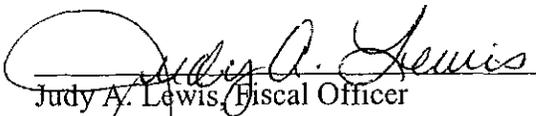


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 22, 2011
GSR:seb

RESOLUTION #159-2011

**RESOLUTION TO DECLARE CERTAIN FIRE DEPARTMENT
EQUIPMENT AS SURPLUS PROPERTY TO BE DISPOSED OF**

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 Miami Township Fire Division has articles or equipment which are valued at less than \$2500; and

Whereas, the Miami Township board of Trustees authorizes the sale of equipment to Andrew Fehskens of 3946 Jacob Hills Ct., Bellbrook Ohio 45305 and via Govdeals On-line auction; and

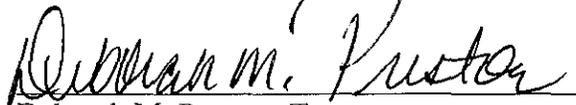
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10 that the Miami Township Board of Trustees declares the attached list of items to be disposed of, sold, or traded-in, as they are marked accordingly, and removed from the Fire Division inventory.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 22, 2011

GSR:seb

RESOLUTION #160-2011

**RESOLUTION TO DECLARE CERTAIN PUBLIC WORKS
DEPARTMENT ITEMS AS SURPLUS PROPERTY TO BE DISPOSED OF**

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, the Public Works Department has items or equipment which are no longer needed, broken, and/ or worn out and are beyond useful purpose; and

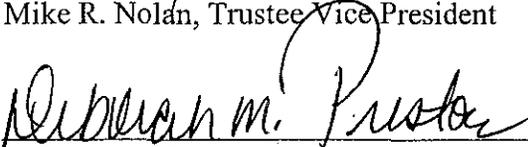
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the attached list of items to be disposed of, sold, or traded-in, as they are marked accordingly, and removed from the Public Works Department inventories.



Charles C. Lewis, Trustee President

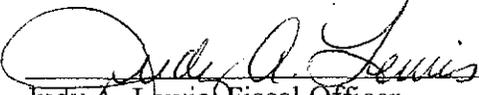


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 22, 2011
GSR:seb

RESOLUTION #161-2011

RESOLUTION AUTHORIZING THE OHIO DEPARTMENT OF
TRANSPORTATION TO REVISE THE PRIMA-FACIE SPEED LIMIT ON
CRAINS RUN ROAD, MIAMI TOWNSHIP, IN ACCORDANCE WITH
SECTION 4511.21 OF THE OHIO REVISED CODE

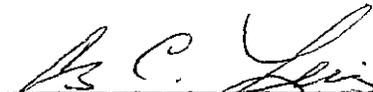
Whereas, the County Engineer has received requests regarding the lowering of the existing speed limit of 45 MPH on the subject road. Following procedures recommended by the Ohio Department of Transportation documented were: 1) the physical features of the roadway; 2) the existing traffic control devices; 3) the results of radar 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 the road is more particularly described as Crains Run Road from the centerline of Wood Road to the centerline of Dayton-Cincinnati Pike- 2.09 miles; and

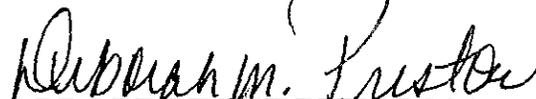
Whereas, it is recommended that the Board of Trustees pass a resolution requesting the Director of Transportation of the State of Ohio to review the attached documentation and to determine and declare a reasonable and safe prima-facie speed limit for this section of the road; and

Whereas, Miami Township 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; and

Therefore Be It Resolved, the Miami Township Board of Trustees does hereby request the revision of the prima-facie speed limit on Crains Run Road, Miami Township in accordance with Section 4511.21 of the Ohio Revised Code.


Charles C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: November 22, 2011

GSR:seb

RESOLUTION #162-2011

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE AND DEPUTY CHIEF OF POLICE TO BE COMPENSATED FOR WORKING CONTRACTUAL OVERTIME

Whereas, retailers in Miami Township are making more frequent requests to contract with the Police Department for police personnel on an overtime basis and whereas there is a strong possibility that these requests from retailers will continue to increase as economic development continues to be strong in the Township; and

Whereas, the Police Department is committed to meeting the needs of Miami Township retailers by entering into contractual overtime agreements to assure that the security and safety needs of Township retailers are satisfied; and

Whereas, there have been times that requests for contractual overtime have come from Township retailers and the Police Department was not able to provide police personnel to fill the request; and

Whereas, the Chief of Police is committed to providing police personnel for all contractual overtime requested by retailers; and

Whereas, the Chief of Police and Deputy Chief of Police are certified peace officers and capable of performing the same duties as patrol officers and are willing to work contractual overtime when no other sworn personnel are willing to work the contractual overtime; and

Whereas, the retailer will reimburse Miami Township for any expense incurred as a result of the Chief of Police and Deputy Chief of Police working any contractual overtime; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Chief of Police and the Deputy Chief of Police the option to work contractual overtime whenever contractual overtime positions are not filled by either police officers or police sergeants and be compensated above the amount of their annual salaries that are approved by an annual resolution.

RESOLUTION #163-2011

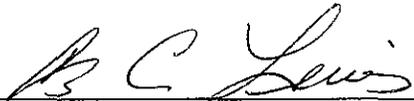
**RESOLUTION TO ACCEPT THE RESIGNATION OF A ZONING
COMMISSION MEMBER**

Whereas, Sharon J. Brocker has served on the Miami Township Zoning Commission since October 12, 2011 as an alternate member; and

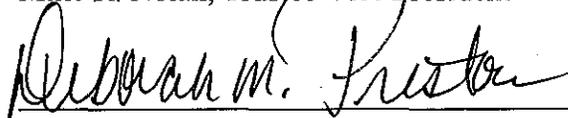
Whereas, Sharon J. Brocker has served Miami Township in good stead as a Zoning Commission member; and

Whereas, Sharon J. Brocker has given notice that she will resign her position, effective November 16, 2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Sharon J. Brocker, and termination of her appointment as an alternate member is effective November 16, 2011.

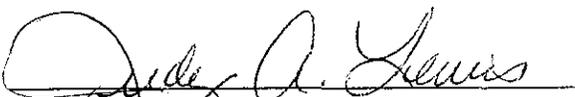


Charles C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 22, 2011

GSR:mmm

RESOLUTION #165-2011

RESOLUTION TO HIRE AN ADMINISTRATIVE ASSISTANT

Whereas, there is a need to hire a Administrative Assistant in the Police Department;
and

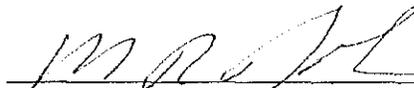
Whereas, the approved recruitment and selection process was followed; and

Whereas, the Chief of Police is making his recommendation; and

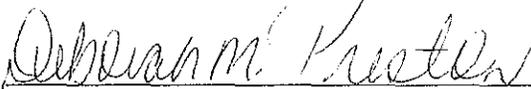
Therefore Be It Resolved, that the Miami Township Board of Trustees approves the hiring of Paul R. Rieder III for the position of Administrative Assistant, at a starting rate of \$9.46 per hour, effective January 3, 2012.



Charles C. Lewis, Trustee President

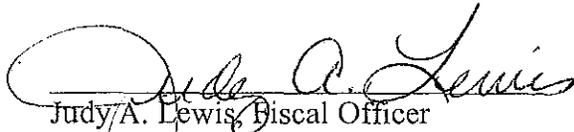


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 13, 2011

GSR:mim

RESOLUTION #166-2011

**RESOLUTION TO ACCEPT RESIGNATION OF A FIRE
DIVISION EMPLOYEE**

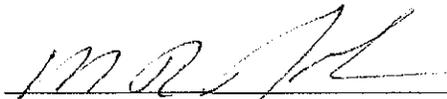
Whereas, Andrew Fehskens has been a part-time firefighter/medic since May 10, 2008; and

Whereas, Andrew has decided to resign his position with the fire division due to a full-time position in Bellbrook; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Andrew Fehskens, and termination of his employment is effective December 13, 2011.



Charles C. Lewis, Trustee President

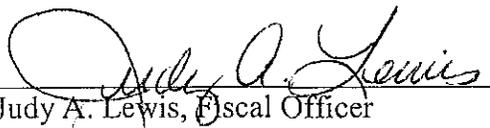


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 13, 2011

GSR:seb

RESOLUTION #167-2011

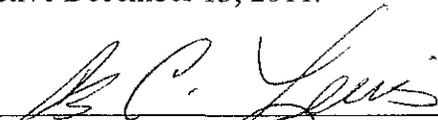
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

Whereas, there are vacancies to be filled in the Fire Division; and

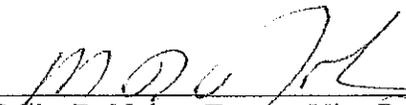
Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individual (s) as a part-time employee:

Vincent Lanning Grade S-1 \$12.20 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individuals, with his hiring date to be determined by the Fire Division, effective December 13, 2011.



Charles C. Lewis, Trustee President

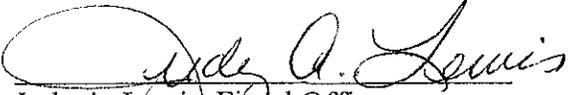


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 13, 2011
GSR:seb

a

RESOLUTION #168-2011

RESOLUTION TO CHANGE A ZONING TEXT

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, December 13, 2011; and

Whereas, Zoning Case #405-11, filed by the Miami Township Board of Trustees, proposes amendments to Article 2 Definitions and Article 41 Sign Regulations, of the Miami Township Zoning Resolution; and

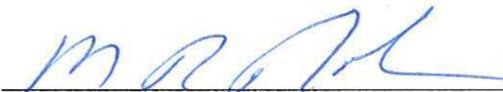
Whereas, the Zoning Commission has made a recommendation; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees approves Zoning Case #405-11 and accepts the Zoning Commission recommendation for Zoning Case #405-11.



Charles C. Lewis, Trustee President

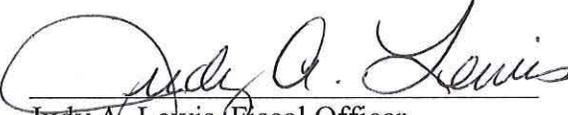


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 13, 2011
GSR:seb



Type: DEE
Kind: ZONING DOCUMENT
Recorded: 03/24/2012 11:13:53 AM
Fee Amt: \$20.00 Page 1 of 9
Montgomery County, OH
Willis E. Blackshear County Recorder
File# 2012-00017157

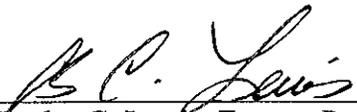
RESOLUTION #169-2011

RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF FUNDS FOR 2011

Whereas, the annual appropriations for 2011 are to provide for expenditures during fiscal year ending December 31, 2011; and

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

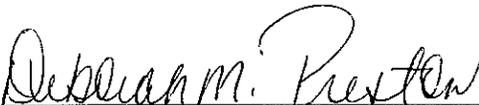
Therefore Be It Resolved, the Miami Township Board of Trustees approves the attached amendment to the annual appropriations for 2011, and forwards the attached copy to the Montgomery County Auditor.



Charles C. Lewis, Trustee President

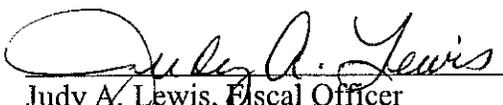


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 21, 2011
GSR:mrm

RESOLUTION #170-2011

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

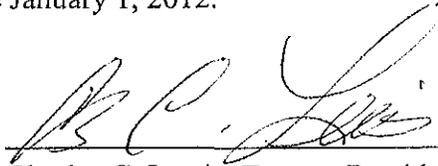
Whereas, the Board of Zoning Appeals is made up of five members and one alternate;
and

Whereas, Michael Logan's term expires on December 31, 2011; and

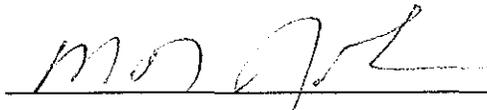
Whereas, Mr. Logan has expressed an interest to continue serving on the Board; and

Whereas, the attendance history has been provided to the Board of Trustees;
and

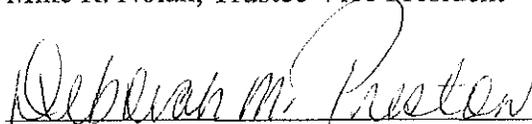
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Michael Logan to the Board of Zoning Appeals as a regular member, with a term ending December 31, 2016, effective January 1, 2012.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 13, 2011

GAH:kah

RESOLUTION #171-2011

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

Whereas, the Board of Zoning Appeals is made up of five members and one alternate; and

Whereas, J. Micah North's term expires on December 31, 2011; and

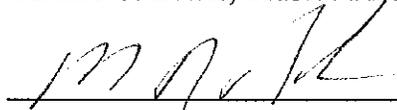
Whereas, J. Micah North has expressed an interest to continue to serve the Board as the alternate; and

Whereas, the attendance history has been provided to the Board of Trustees; and

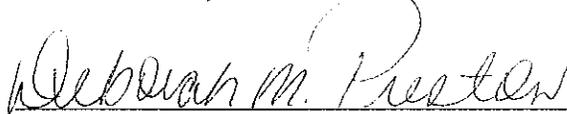
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints J. Micah North to the position of alternate member of the Board of Zoning Appeals, with a term ending December 31, 2012, effective January 1, 2012.



Charles C. Lewis, Trustee President

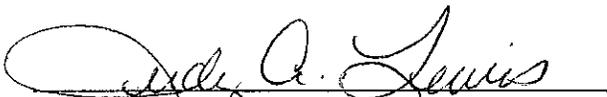


Mike R. Nolan, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 13, 2011

GAH:kah

RESOLUTION #172-2011

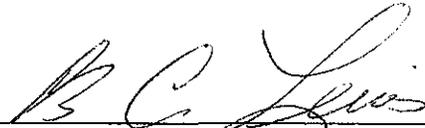
**RESOLUTION TO REQUEST TAX ADVANCES FROM THE
MONTGOMERY COUNTY AUDITOR IN FISCAL YEAR 2012**

Whereas, the Ohio Revised Code allows advancement of payments on taxes; and

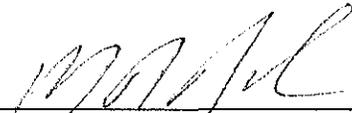
Whereas, the tax bills will soon be sent out in Montgomery County; and

Whereas, Township residents will begin making payments upon receipt of these bills; and

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 2012.



Charles C. Lewis, Trustee President

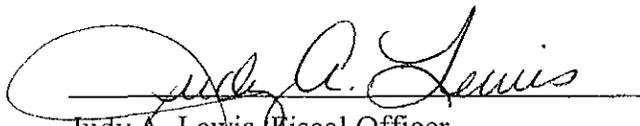


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:

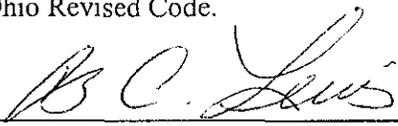


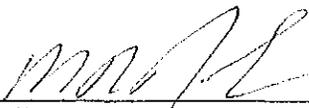
Judy A. Lewis, Fiscal Officer
Passed: December 13, 2011
GSR:seb

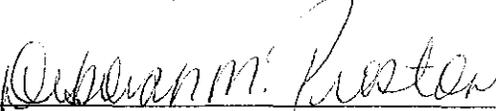
RESOLUTION #173-2011

**RESOLUTION AUTHORIZING THE OHIO DEPARTMENT OF
TRANSPORTATION TO REVISE THE PRIMA-FACIE SPEED LIMIT ON
WASHINGTON CHURCH ROAD, MIAMI TOWNSHIP, IN
ACCORDANCE WITH SECTION 4511.21 OF THE
OHIO REVISED CODE**

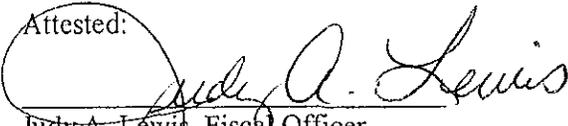
- Whereas,** the County Engineer has received requests regarding the lowering of the existing speed limit of 45 MPH on the subject road. Following procedures recommended by the Ohio Department of Transportation documented were: 1) the physical features of the roadway; 2) the existing traffic control devices; 3) the results of radar 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 the road is more particularly described as Washington Church Road from the centerline of Spring Valley Pike to the centerline of Austin Boulevard- 0.93 miles; and
- Whereas,** it is recommended that the Board of Trustees pass 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 the road; and
- Whereas,** Miami Township 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; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees does hereby request the revision of the prima-facie speed limit on Washington Church Road, Miami Township in accordance with Section 4511.21 of the Ohio Revised Code.


Charles C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 13, 2011
GSR:seb

RESOLUTION #174-2011

**RESOLUTION TO AUTHORIZE APPLICATION FOR FUNDS
THROUGH THE GREATER DAYTON REGIONAL TRANSIT
AUTHORITY COMMUNITY GRANT PROGRAM**

Whereas, the Greater Dayton Regional Transit Authority, administers financial assistance for transit related improvements, through the Community Grant Program; and

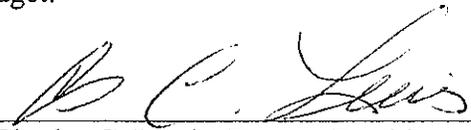
Whereas, Miami Township is partnering with Oberer Land Developers, Ltd to assist in the replacement of an existing bus stop on Miami Village Drive; and

Whereas, the Board desires financial assistance under the Community Grant Program.

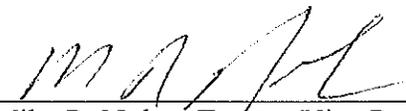
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the following:

Section 1. the Miami Township Board of Trustees approves filing an application for financial assistance; and

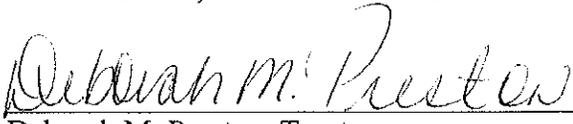
Section 2. that the Township Administrator is hereby authorized to execute and file an application with the Greater Dayton Regional Transit Authority for the Exchange at Spring Valley Bus Stop Replacement Project and to provide all information and documentation required to become eligible for funding assistance, including a work program and detailed budget.



Charles C. Lewis, Trustee President

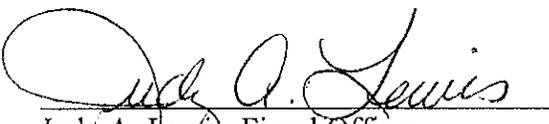


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 13, 2011
GSR:nrm

RESOLUTION #175-2011

**RESOLUTION TO DECLARE CERTAIN COMPUTER EQUIPMENT AND
ITEMS AS SURPLUS PROPERTY TO BE DISPOSED OF**

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 computers and information technology-related equipment that are no longer useful; and

Whereas, Miami Township's information technology vendor will remove all data from respective equipment before it is disposed of, and

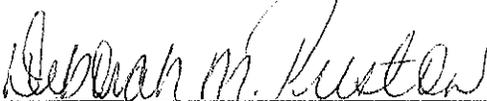
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the items in the attached picture(s) (serial numbers not available due to age of items) be disposed of and removed from Miami Township's inventories.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 13, 2011

GSR:seb

RESOLUTION #176-2011

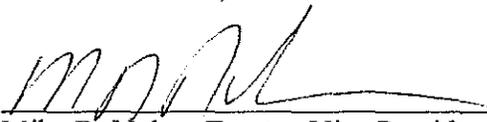
RESOLUTION TO APPROVE AN APPROPRIATION OF FUNDS FOR 2012

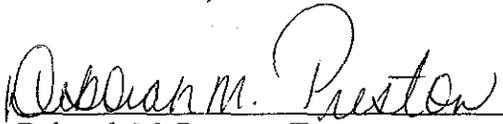
Whereas, the annual appropriations for 2012 are to provide for expenditures for the fiscal year ending December 31, 2012; and

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

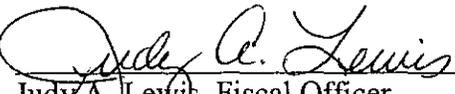
Therefore Be It Resolved, the Miami Township Board of Trustees approves the annual appropriations for 2012, and forwards the attached copy to the Montgomery County Auditor.


Charles C. Lewis, Trustee President


Mike R. Nolan, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 21, 2011
GSR:mmm

RESOLUTION #177-2011

**A RESOLUTION AUTHORIZING THE BIDDING AND ADVERTISEMENT
OF THE LYONS ROAD RETENTION BASIN AMENITIES PROJECT**

Whereas, Miami Township has partnered with Menard, Inc., the Greater Dayton Regional Transit Authority and the Montgomery County Library to enhance a regional retention basin to serve the partnering properties; and

Whereas, Miami Township has developed an amenities project for the Lyons Road Regional Retention Basin; and

Whereas, Miami Township desires to bid out the Lyons Road Retention Basin Amenities Project to the lowest and best bidder; and

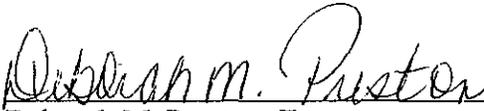
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator to release and advertise a Bid Specifications packet for the purposes of receiving bids for the Lyons Road Retention Basin Amenities Project.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 21, 2011
GSR:mrm

RESOLUTION #178-2011

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A NEW ONE (1) - YEAR TRASH COLLECTION
SERVICES CONTRACT**

- Whereas,** there is a need to continue trash, recycling, yard waste, and large item pickup services for the residential community; and
- Whereas,** Miami Township is under a three (3) – year, with three (3) additional option years contract with Waste Management of Ohio, of which the final option year will expire on December 31, 2011; and
- Whereas,** Miami Township has accepted bids for a new one (1) year contract, which expires December 31, 2012, with three (3) additional option years; and
- Whereas,** Waste Management of Ohio has bid for single day service with a bid name of Option 2 – Alternate 1; and
- Whereas,** Waste Management of Ohio – Option 2 – Alternate 1 was accepted as the lowest and best bid; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Township Administrator, Gregory A. Hanahan, to take the necessary steps to execute a new one (1) - year trash collection contract with Waste Management of Ohio.



Charles C. Lewis, Trustee President

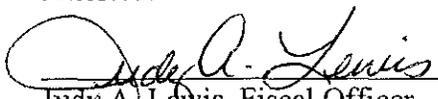


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed December 21, 2011

GSR:kah

RESOLUTION #179-2011

RESOLUTION TO EXTEND A CONTRACTUAL TOWNSHIP ADMINISTRATOR

Whereas, on December 21, 2010 the Miami Township Board of Trustees authorized the contractual hiring of Gregory A. Hanahan from January 1, 2011 through December 31, 2011; and

Whereas, Gregory A. Hanahan is currently on medical leave and is unable to negotiate a contract prior to the end of the contract period; and

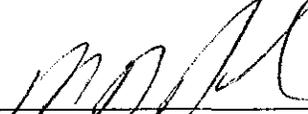
Whereas, the Miami Township Board of Trustees desires to extend Gregory A. Hanahan's current contract for a two (2) month period; and

Whereas, Gregory A. Hanahan will be paid at his current salary, accrue leaves, receive an apportioned amount of deferred compensation and receive a car allowance for the extension period. All other conditions of the previous agreement will not be in effect for the two month extension; and

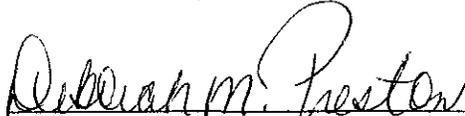
Therefore Be It Resolved, the Miami Township Board of Trustees approves the extension of the current contract for an additional two (2) months effective January 1, 2012 through February 29, 2012.



Charles C. Lewis, Trustee President



Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 21, 2011
GSR:sld

RESOLUTION #180-2011

RESOLUTION TO APPROVE 2012 PAY SCHEDULE

- Whereas,** the Board of Trustees has created a Pay Schedule to ensure consistent and equitable compensatory consideration for non-union full and part-time employees; and
- Whereas,** the Pay Schedule also acts as a convenient tool for reviewing compensatory issues for employees who are also union members; and
- Whereas,** in follow-up to the Board passing a cost of living increase for 2012, the Pay Schedule has been modified to reflect the two-percent (2%) increase; and

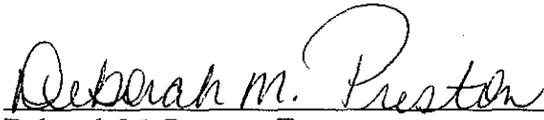
Therefore Be It Resolved, the Miami Township Board of Trustees approves the use of the 2012 Pay Schedule, as attached, to be effective January 1, 2012.



Charles C. Lewis, Trustee President

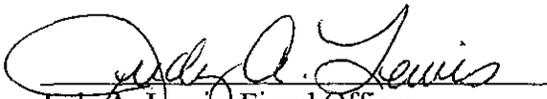


Mike R. Nolan, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 21, 2011
GSR:mrm