

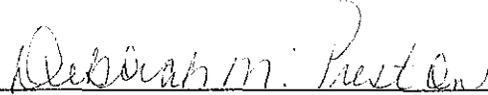
RESOLUTION # 1-2010

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

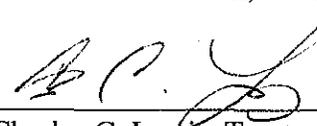
Whereas, Jack Hood has been a part-time Lieutenant/firefighter/EMT since August 6, 1996; and

Whereas, Jack Hood 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 Jack Hood, and termination of his employment is effective December 16, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:mrm

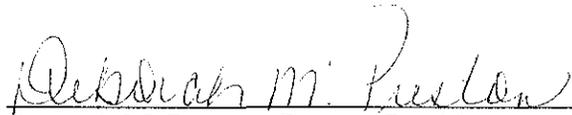
RESOLUTION # 2-2010

**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE FROM THE MIAMI TOWNSHIP VOLUNTEER
FIREFIGHTERS DEPENDENCY BOARD**

Whereas, Jack Hood was recently selected to serve a third term as a Board Member for the Miami Township Volunteer Firefighters Dependency Board; and

Whereas, Jack Hood has now decided to resign his position as board member: and

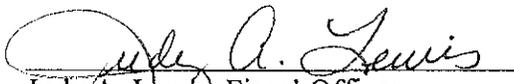
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Jack Hood, and terminates his status with the Miami Township Volunteer Firefighters Dependency Board effective December 16, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:

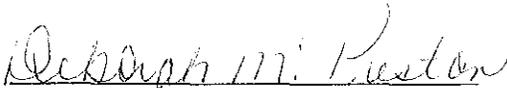

Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR: mrm

RESOLUTION #3-2010

**RESOLUTION TO CHANGE THE STATUS
OF A FULL-TIME PARKS WORKER**

- Whereas,** Miami Township, due to changes in economic conditions, finds it necessary to make necessary changes in its Public Works strategy; and
- Whereas,** the change in strategy necessitates the termination of Parks Worker non-management employees; and
- Whereas,** Scott Astor is a non-management Parks Worker employee; and
- Whereas,** Scott Astor, who has been employed with Miami Township since September 18, 1997, will be terminated from the position of Parks Worker; and
- Whereas,** Scott Astor's termination as a Parks Worker will become effective at 5:00 pm on December 31, 2009; and

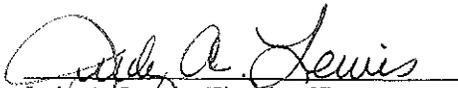
Therefore Be It Resolved, the Board of Trustees authorizes Miami Township staff to take the appropriate actions to terminate the employment of Scott Astor as outlined within this resolution.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR.mrm

RESOLUTION #4-2010

**RESOLUTION TO CHANGE THE STATUS
OF A FULL-TIME PARKS WORKER**

Whereas, Miami Township, due to changes in economic conditions, finds it necessary to make necessary changes in its Public Works strategy; and

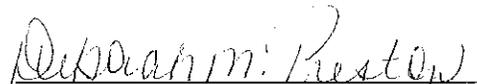
Whereas, the change in strategy necessitates the termination of Parks Worker non-management employees; and

Whereas, Mike Dalton is a non-management Parks Worker employee; and

Whereas, Mike Dalton, who has been employed with Miami Township since June 29, 2009, will be terminated from the position of Parks Worker; and

Whereas, Mike Dalton's termination as a Parks Worker will become effective at 5:00 pm on December 31, 2009; and

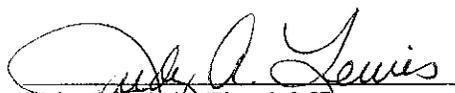
Therefore Be It Resolved, the Board of Trustees authorizes Miami Township staff to take the appropriate actions to terminate the employment of Mike Dalton as outlined within this resolution.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

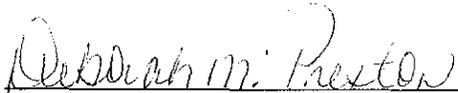

Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:nam

RESOLUTION #5-2010

RESOLUTION ABOLISHING PARKS WORKER POSITIONS

- Whereas,** there is a need to restructure the Public Works' Parks Department subdivision; and
- Whereas,** the restructuring of the Parks Department requires the de-authorization, and thus the abolishment, of two full-time and non-managerial Parks Worker positions; and
- Whereas,** Administration staff, including the Township Administrator, the Finance Director, the Public Works Director, and the Human Resources Director are recommending the abolishment of two Parks Worker positions; and
- Whereas,** the abolishment of the two positions is effective at 5:00 PM on December 31, 2009; and
- Whereas,** the abolishment of the two positions will bring the authorized Parks Worker employees to zero; and
- Whereas,** the abolishment of the two positions will require that the position be removed from any pay schedule document; and

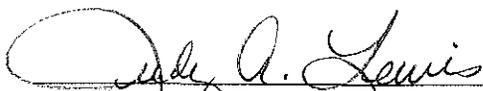
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Miami Township staff to take the necessary actions to abolish the two positions as outlined within this resolution.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:mrm

RESOLUTION #6-2010

**RESOLUTION TO CREATE TWO ROAD WORKER POSITIONS
IN PUBLIC WORKS**

Whereas, the Board of Trustees is the authority for creating authorized positions within Miami Township compliment of personnel; and

Whereas, the Public Works Department has a need to restructure; and

Whereas, the restructuring of the Public Works Department includes the creation of two additional full-time regular Road Worker positions; and

Whereas, the creation of two additional positions brings the total authorized Road Worker personnel to seven (7) employees; and

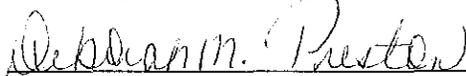
Whereas, Administration, including the Township Administrator, the Finance Director, the Public Works Director, and the Human Resources Director, have reviewed this issue and are recommending to the Board of Trustees the creation of two (2) Road Worker positions in the Public Works Department; and

Whereas, the creation of these positions are effective at 5:01 PM on December 31, 2009; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the creation of two (2) Road Worker positions; and

Further Be It Resolved, the Miami Township Board of Trustees requires that full-time regular positions comply with the Employee Policy Manual and respective legislation; and

Lastly Be It Resolved, the Board of Trustees directs the Miami Township staff to take the necessary actions to create and incorporate the authorized position into Miami Township's procedures, protocols and personnel compliment.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 12, 2010

GSR:mmm

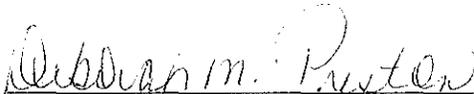
RESOLUTION #7-2010

RESOLUTION TO HIRE A ROAD WORKER

- Whereas,** there is a need to hire a Road Worker; and
- Whereas,** the Public Works Director is making a recommendation to rehire Scott Astor; and
- Whereas,** the Human Resources Director is recommending that Scott Astor be exempt from Resolution 197-2009 because he has been employed with the Township since September 18, 1997 and were it not for the restructuring of the Parks Department Mr. Astor would not suffer a loss of the pick-up benefit; and
- Whereas,** Scott Astor, barring the above consideration, will be subject to the Rehire Policy of the Employee Policy Manual; and
- Whereas,** Scott Astor will be subject to the essential functions and requirements of the position of Road Worker; and

Therefore Be It Resolved; the Miami Township Board of Trustees exempts Scott Astor from Resolution 197-2009 and authorizes the Township to continue the pick-up benefit for him; and

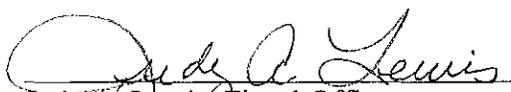
Lastly Be It Resolved; The Miami Township Board of Trustees authorizes staff to take the necessary actions to hire Scott Astor at a starting rate of \$18.28 with a rehire date of January 1, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice -President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:mrm

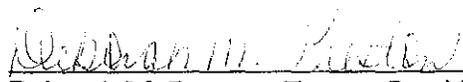
RESOLUTION #8-2010

RESOLUTION TO HIRE A ROAD WORKER

- Whereas,** there is a need to hire a Road Worker; and
- Whereas,** the Public Works Director is making a recommendation to rehire Mike Dalton; and
- Whereas,** the Human Resources Director is recommending that Mike Dalton not be exempt from Resolution 197-2009 because his initial employment date of June 29, 2009 occurs after the pick-up benefit ceased on January 1, 2009; and
- Whereas,** Mike Dalton will be subject to the Rehire Policy of the Employee Policy Manual; and
- Whereas,** Mike Dalton will be subject to the essential functions and requirements of the position of Road Worker; and

Therefore Be It Resolved; the Miami Township Board of Trustees authorizes the application of Resolution 197-2009, to Mike Dalton barring him from the pick-up benefit; and

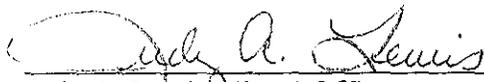
Lastly Be It Resolved; the Miami Township Board of Trustees authorizes staff to take the necessary actions to hire Mike Dalton at a starting rate of \$15.67 with a rehire date of January 1, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice -President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:mrm

RESOLUTION # 9-2010

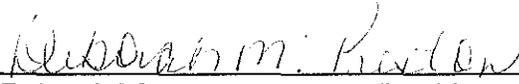
**RESOLUTION TO REAPPOINT A
ZONING COMMISSION MEMBER**

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

Whereas, Eric Halter's term of office expires December 31, 2009; and

Whereas, Mr. Halter has expressed a desire to continue to serve on the commission; and

Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Eric Halter to serve on the Zoning Commission effective December 31, 2009 as an alternate member for a term of one (1) year ending on December 31, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 12, 2010

GSR:mrm

RESOLUTION #10-2010

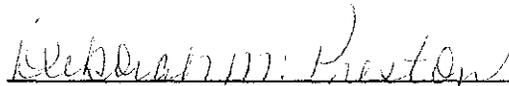
**RESOLUTION TO REAPPOINT A
ZONING COMMISSION MEMBER**

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

Whereas, Dennis Smith's term of office expires December 31, 2009; and

Whereas, Mr. Smith has expressed a desire to continue to serve on the commission; and

Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Dennis Smith to serve on the Zoning Commission effective December 31, 2009 for a term of five (5) years ending on December 31, 2014.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 12, 2010

GSR:mrm

RESOLUTION # 11-2010

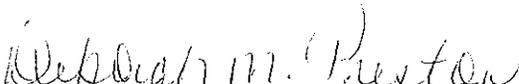
**RESOLUTION TO APPOINT A
BOARD OF ZONING APPEALS MEMBER**

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

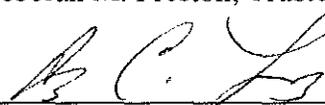
Whereas, alternate Jeffery Ross' term expired on December 31, 2009; and

Whereas, Mr. Ross has expressed an interest to continue to serve the Board; and

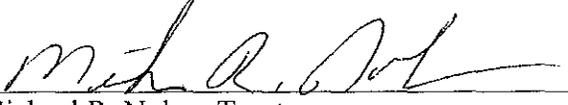
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Jeffery S. Ross as a member of the Board of Zoning Appeals, with a term ending December 31, 2014, effective December 31, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: January 12, 2010
GSR:mmm

RESOLUTION #13-2010

**RESOLUTION AUTHORIZING THE CONTINUANCE OF A
TEMPORARY PART-TIME ADMINISTRATIVE ASSISTANT I FOR THE
DIVISION OF FIRE/EMS**

Whereas, the Board of Trustees passed Resolution 08-2009 on January 27, 2009; and upon review it was noted that the original resolution did not have the required termination date and required an amendment to the resolution; and

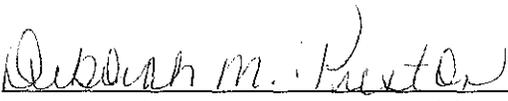
Whereas, the Board of the Trustees passed Resolution on October 27, 2009 amending the earlier resolution and applying a termination date to it; and

Whereas, it has been determined there is still a need for a temporary part-time Fire Administrative Assistant I within the Division of Fire and EMS; and

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

Whereas, an offer to continue temporary employment has been made to and accepted by Rosie Stevens; and

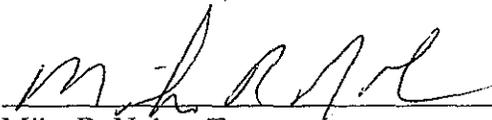
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Rosie Stevens, at an hourly rate of \$13.80, Pay Grade PT7, effective January 12, 2010 and terminating no later than June 19, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 12, 2010

GRS:mrm

RESOLUTION #14-2010

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

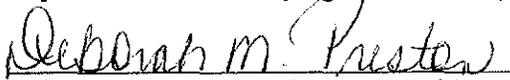
Whereas, Ohio's Cooperative Purchasing Act provides the opportunity for townships to participate in contracts distributed by the state of Ohio, Department of Administrative Services (DAS), Office of Cooperative Purchasing for the purchase of supplies, services, equipment and materials; and

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 President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: January 26, 2010

GSR:mrm

RESOLUTION #15-2010

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.

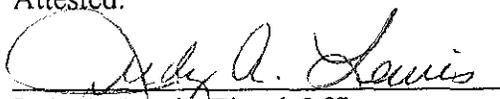
Section 4. The Miami Township Board of Trustees agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract, pursuant to ORC Section 5513.01(B).


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: January 26, 2010
GSR:mrm

RESOLUTION #16-2010

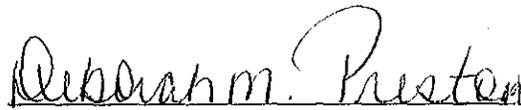
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MAINTENANCE AGREEMENT WITH P & R
COMMUNICATIONS FOR MAINTENANCE OF COMMUNICATION
EQUIPMENT**

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

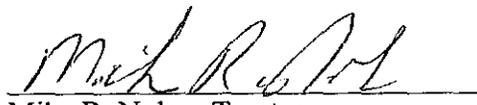
Whereas, Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement if the amount is under the statutory bidding requirement; and

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

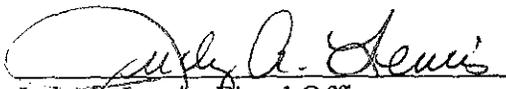
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a maintenance agreement for communication equipment from P & R Communications from January 1, 2010 through December 31, 2010 at a cost not to exceed \$15,481.20.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: January 26, 2010

GSR:mrm

RESOLUTION #17-2010

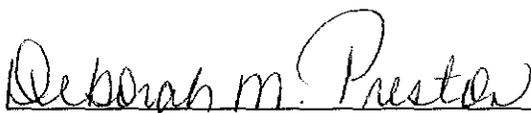
**RESOLUTION TO APPOINT AN ALTERNATE
BOARD OF ZONING APPEALS MEMBER**

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

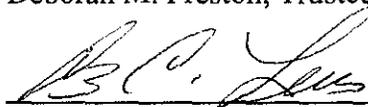
Whereas, Brent Anslinger's term expires on December 31, 2009; and

Whereas, Mr. Anslinger has expressed an interest to serve the Board as the alternate; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Brent Anslinger to the position of alternate member of the Board of Zoning Appeals, with a term ending December 31, 2010, effective December 31, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: January 26, 2010

GAH:mrm

RESOLUTION #18-2010

**RESOLUTION AUTHORIZING STAFF TO SUBMIT APPLICATIONS
FOR FEDERAL JOBS FOR MAIN STREET ACT OF 2010 FUNDS
THROUGH THE MIAMI VALLEY REGIONAL PLANNING
COMMISSION**

Whereas, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the SFY2008-2011 Transportation Improvement Program (TIP); and

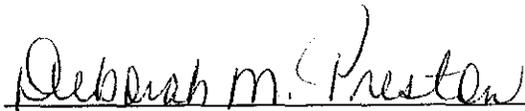
Whereas, Miami Township has committed to a timely project development schedule; and

Whereas, Miami Township has committed the necessary resources to support the local cost portion of the projects; and

Whereas, the following list of projects will be submitted to MVRPC, shown in order of Miami Township's priority.

1. Byers Road Resurfacing Project
2. Washington Church Road/Spring Valley Pike East Resurfacing Project
3. Spring Valley Pike West Resurfacing Project

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes staff to submit application to MVRPC as noted above.



Deborah M. Preston, Trustee President

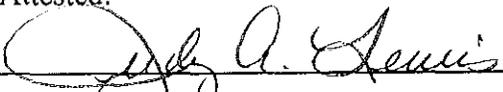


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:

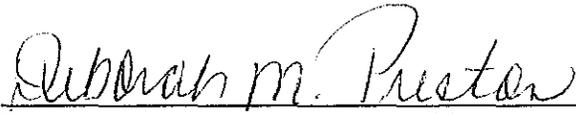


Judy A. Lewis, Fiscal Officer
Passed January 26, 2010
GAH:mrm

RESOLUTION #019-2010

RESOLUTION TO HIRE A FIRE CHIEF

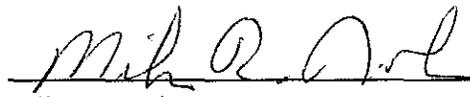
Whereas, there is a need for a permanent Fire Chief in the Fire Department; and
Whereas, Matthew Queen has been serving as Interim Fire Chief since April 14, 2009; and
Whereas, the Township Administrator is making his recommendation; and
Whereas, Matthew Queen has agreed to accept the position of Fire Chief; and
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Matthew Queen as Fire Chief, at a compensation rate of \$87,550 per year, effective January 26, 2010.



Deborah M. Preston, Trustee President

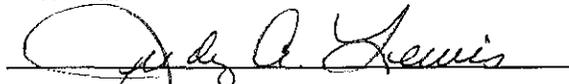


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



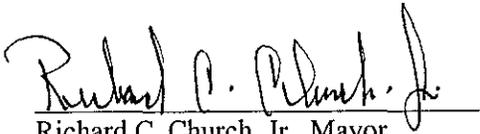
Judy A. Lewis, Fiscal Officer
Passed: January 26, 2010
GAH:mrm

RESOLUTION #20-2010
RESOLUTION #2748

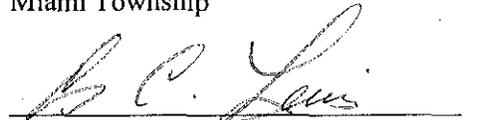
**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO
CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION
OF A .25 MILL CEMETERY LEVY**

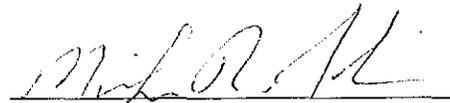
- Whereas,** the Miami Township Board of Trustees and the Council of the City of Miamisburg, acting jointly, provide cemetery services to the residents and others; and
- Whereas,** the Miami Township Board of Trustees and the Council of the City of Miamisburg want to continue this service; and
- Whereas,** this tax levy is necessary to continue to provide these services in excess of the ten mill limitation in the amount of .25 mill, as provided for in the ORC 5705.19 (T); and
- Whereas,** the ORC 5705.03 (B), requires the Township and the City to request the Montgomery County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by specified number of mills;

Therefore Be It Resolved, the Miami Township Board of Trustees and the Council of the City of Miamisburg, State of Ohio, with a majority of each legislative body concurring, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated and incorporated portion of Miami Township and the total revenue a .25 mill cemetery levy would generate, for the purpose of providing cemetery services as provided for under ORC 5705.19 (T), if approved in the May 2010 primary election.

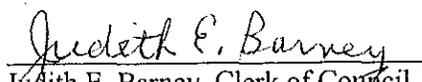

Richard C. Church, Jr., Mayor
City of Miamisburg


Deborah M. Preston, Trustee President
Miami Township


Charles C. Lewis, Trustee Vice President
Miami Township


Mike R. Nolan, Trustee
Miami Township

Attested:


Judith E. Barney, Clerk of Council
Passed: February 2, 2010

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 2, 2010
GSR:mmm

RESOLUTION #21-2010

RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION OF A 3.65 MILL REPLACEMENT LEVY FOR THE POLICE DEPARTMENT

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 3.65 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 3.65 mill replacement levy would generate for the Police Department, as provided for under ORC 5705.19 (I), if approved in the May 2010 primary election to replace the existing 3.5 mill police levy expiring on December 31, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed February 2, 2010

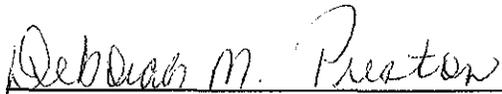
GSR:mrm

RESOLUTION #22-2010

RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION OF A 3.75 MILL REPLACEMENT LEVY FOR THE POLICE DEPARTMENT

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 3.75 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 3.75 mill replacement levy would generate for the Police Department, as provided for under ORC 5705.19 (I), if approved in the May 2010 primary election to replace the existing 3.5 mill police levy expiring on December 31, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 2, 2010

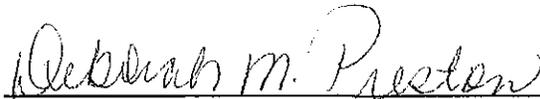
GSR:mrm

RESOLUTION #23-2010

RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION OF A 4.00 MILL REPLACEMENT LEVY FOR THE POLICE DEPARTMENT

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 4.00 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 4.00 mill replacement levy would generate for the Police Department, as provided for under ORC 5705.19 (I), if approved in the May 2010 primary election to replace the existing 3.5 mill police levy expiring on December 31, 2010.



Deborah M. Preston, Trustee President

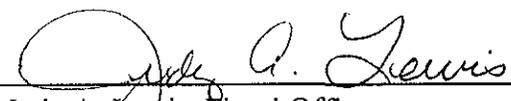


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 2, 2010
GSR:mrm

RESOLUTION #24-2010

RESOLUTION TO ACCEPT THE RESIGNATION OF AN EMPLOYEE

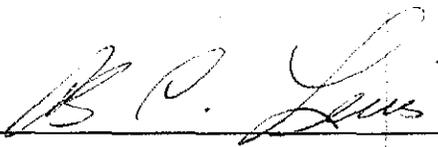
Whereas, Tom Seifert has tendered his resignation; and

Whereas, the resignation is effective February 2, 2010; and

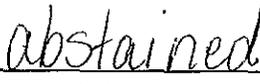
Therefore **Be It Resolved**, the Miami Township Board of Trustees accepts the resignation of Tom Seifert effective February 2, 2010.



Deborah M. Preston, Trustee President

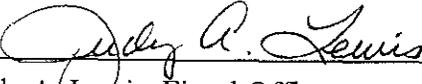


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 2, 2010
GSR:mrm

RESOLUTION # 25-2010

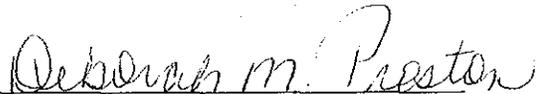
**RESOLUTION TO APPROVE A PAY INCREASE FOR
A STREET SUPERVISOR**

Whereas, Ron Robinson has successfully served three (3) 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

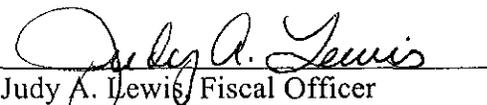
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Ron Robinson, Pay Grade E, to an annual rate of pay of \$58,164.54, effective February 04, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

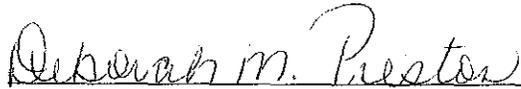
Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 16, 2010
GSR:mrm

RESOLUTION #26-2010

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

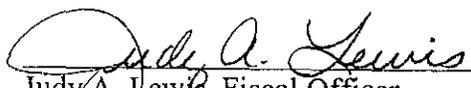
- Whereas,** the equivalent of a full time vacancy of an Administrative Assistant in Administration has existed since June of 2008; and
- Whereas,** Miami Township has conducted a recruitment and selection process for the purposes of hiring two part-time Administrative Assistants to replace the full time vacancy; and
- Whereas,** the Human Resources Director is making the recommendation to hire Stacy Bondy as a part-time Administrative Assistant at an hourly rate of \$9.46 per hour to work a maximum of 1500 hours within a 365-calendar year; and
- Whereas,** the Township Administrator and Assistant Township Administrator support the recommendation; and
- Whereas,** this resolution replaces Resolution 186-2009; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the hiring of the above individual, with their hiring date to be determined by the Human Resources Director and said resolution becomes effective February 16, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 16, 2010
GSR:mrm

RESOLUTION #27-2010

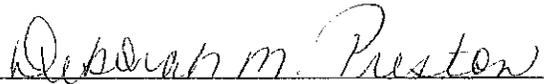
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE AN
AGREEMENT WITH MONTGOMERY COUNTY RECORDS
COMMISSION AND MICROFILMING BOARD**

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

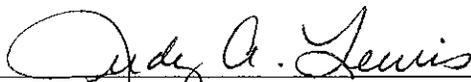
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Montgomery County Records Commission & Microfilming Board, in the amount of \$2,500, from January 1, 2010 through December 31, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 16, 2010
GSR:mrm

RESOLUTION #28-2010

RESOLUTION TO CHANGE A ZONING TEXT

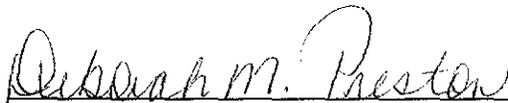
Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, March 9, 2010; and

Whereas, Zoning Case #400-09, filed by the Miami Township Zoning Commission, proposes amendments to Article 12, the "R-4" Single Family Residential District, 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

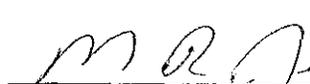
Therefore Be It Resolved, the Miami Township Board of Trustees ~~APPROVES~~ Zoning Case #400-09 and ~~ACCEPTS~~ the Zoning Commission recommendation for Zoning Case #400-09.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 9, 2010
GAH:MRM

RESOLUTION #29-2010

RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE POLICE DEPARTMENT

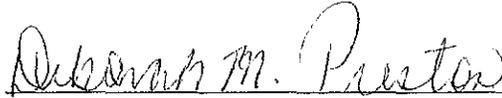
Whereas, the amount of taxes which may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Miami Township, Montgomery County, Ohio; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, two thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten (10) mill limitation for the benefit of the unincorporated area of Miami Township, for the purpose of paragraph (J) Section 5705.19 ORC, "providing and maintaining motor vehicles, communications, and other equipment used directly in the operation of the Police Department, or the payment of salaries of permanent police personnel, or the payment of costs incurred by the Township as a result of contracts made with other political subdivisions in order to obtain police protection", at a rate not exceeding 4.00 mills for each one dollar of valuation, which amounts to \$0.400 for each one hundred dollars of valuation for five (5) years, and which is a replacement for an existing levy of 3.5 mills commencing collection year 2011; and

Therefore Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2011, if a majority of the electors voting thereon vote in favor thereof; and

Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than seventy-five (75) days before the election upon which it will be voted, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

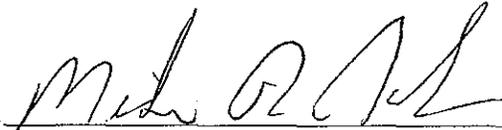
SIGNATURE PAGE FOR RESOLUTION #29-2010 ONLY



Deborah M. Preston, Trustee President

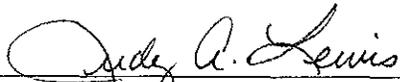


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 16, 2010

GSR:mmm

RESOLUTION #30-2010
RESOLUTION #2750

**RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION FOR
PROVIDING FOR CEMETERY SERVICES**

Whereas, the amount of revenues generated from the sale of cemetery services are insufficient to provide an adequate amount for the necessary requirements of said Miami Township and the City of Miamisburg, Montgomery County, Ohio; and

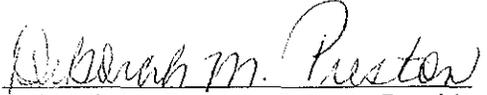
Therefore Be It Resolved, by the Board of Trustees of Miami Township and the Council of the City of Miamisburg, Montgomery County, Ohio, a majority of all members elected thereto concurring, that it is necessary to levy a tax for the benefit of the unincorporated and incorporated area of Miami Township for the purpose of paragraph (T) Section 5705.19 ORC "providing for the maintenance and operation of cemeteries" at a rate not exceeding .25 mills for each one dollar of valuation, which amounts to \$0.025 for each one hundred dollars of valuation for five years commencing collection year 2011; and

Therefore Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2011, if a majority of the electors voting thereon vote in favor thereof; and

Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than 75 days before the election, upon which it will be voted and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

**SIGNATURE PAGE FOR RESOLUTION #30-2010 AND
RESOLUTION #2750 ONLY**

Richard C. Church, Jr., Mayor
City of Miamisburg



Deborah M. Preston, Trustee President
Miami Township



Charles C. Lewis, Trustee Vice President
Miami Township



Mike R. Nolan, Trustee
Miami Township

Attested:

Judith E. Barney, Clerk of Council
Passed: February 16, 2010

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 16, 2010
GSR:mrm

RESOLUTION #31-2010

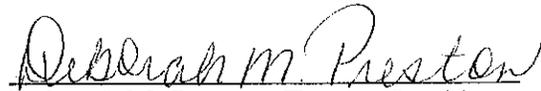
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER
FOR TELEPHONE LINE REPAIR SERVICES**

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 also allows for a "Then and Now" purchase order to be issued when time or circumstances do not allow for the timely process of a normal purchase order; and

Whereas, the Miami Township Board of Trustees have incurred an expenditure for the repair and servicing of its fax and telephone lines; and

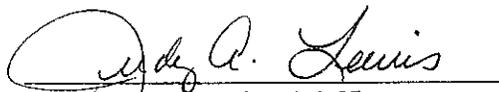
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and at the date of the execution of the order, the amount of \$530.00 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Police Fund free of any commitments or encumbrances.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 16, 2010
GSR:mrm

RESOLUTION #32-2010

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$9,200,000, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (OHIO), OF CONSTRUCTING ROADWAY IMPROVEMENTS SERVING THE DEVELOPMENT GENERALLY KNOWN AS AUSTIN LANDING LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF INTERSTATE 75 AND MIAMISBURG-SPRINGBORO PIKE, INCLUDING, BUT NOT LIMITED TO, GRADING NECESSARY FOR SUCH ROADWAY IMPROVEMENTS, CONSTRUCTING RELATED STORM SEWER AND STORM WATER IMPROVEMENTS AND COMMUNICATIONS FACILITIES, INCLUDING FIBER OPTICS, RELOCATING WATER AND SANITARY SEWER LINES AND OTHER UTILITIES PLACED IN THE ROADWAY RIGHT OF WAY OR EASEMENT, INSTALLING OR CONSTRUCTING RELATED STREET LIGHTING AND SIGNS, SIDEWALKS, BIKEWAYS AND LANDSCAPING, INCLUDING SCENIC FENCING AND IRRIGATION, AND TRAFFIC SIGNS AND SIGNALIZATION, DESIGN AND OTHER RELATED COSTS, AND ACQUIRING RELATED INTERESTS IN REAL ESTATE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING THE BOND PURCHASE AGREEMENT, BOND REGISTRAR AGREEMENT, CONTINUING DISCLOSURE AGREEMENT AND RELATED OFFERING DOCUMENTS

Whereas, this Board desires to work cooperatively with the Montgomery County Transportation Improvement District (Ohio)(the "*District*") pay costs of constructing roadway improvements serving the development generally known as Austin Landing located at the northeast corner of the intersection of Interstate 75 and Miamisburg-Springboro Pike, including, but not limited to, grading necessary for such roadway improvements, constructing related storm sewer and storm water improvements and communications facilities, including fiber optics, relocating water and sanitary sewer lines and other utilities placed in the roadway right of way or easement, installing or constructing related street lighting and signs, sidewalks, bikeways and landscaping, including scenic fencing and irrigation, and traffic signs and signalization, design and other related costs, and acquiring related interests in real estate, together with all necessary appurtenances thereto (collectively, the "*Project*") by issuing a general obligation bond of the Township for the purpose of paying costs of the Project; and

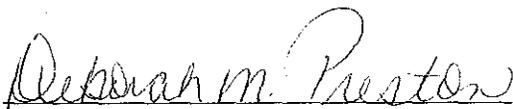
Whereas, this Board finds that the Project constitutes a "project", as defined in Section 5540.01 of the Ohio Revised Code, and a "Local Interchange Project" and a portion of the "2009

Section 10. Bond Counsel. The law firm of Calfee, Halter & Griswold LLP is hereby appointed to provide bond counsel services in connection with the issuance of the Bonds. The costs of those services shall be paid from the proceeds of the Bonds.

Section 11. Satisfaction of Conditions for Bond 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 Bonds 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 Bonds 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 7) of the Township are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12. 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 were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 13. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 23, 2010
GSR:mrm

RESOLUTION #33-2010

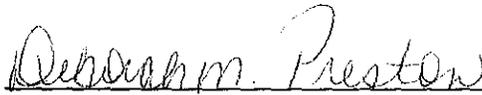
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
DEVELOPMENT LOT AND SECOND OFFICE BUILDING UNDER
ZONING CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, February 23, 2010; and

Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a final development plan for a development lot and second 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 SUPPORTS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 23, 2010

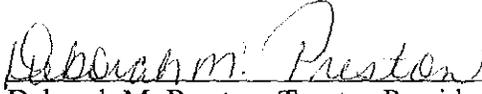
GAH:mrm

RESOLUTION #34-2010

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE SPYGLASS GROUP, INC.
TO ANALYZE THE TOWNSHIP'S TELECOMMUNICATION SERVICE
ACCOUNTS TO SEEK COST RECOVERY, SERVICE ELIMINATION
AND COST REDUCTION RECOMMENDATIONS**

- Whereas,** the Miami Township Board of Trustees desires to enter into an agreement to analyze the Township's telecommunication service agreements; and
- Whereas,** the Montgomery County Prosecutor has approved the attached audit agreement as to form; and
- Whereas,** the Finance Director is recommending that The SpyGlass Group, Inc. perform the analysis and provide recommendations in accordance with the attached agreement; and

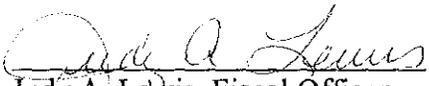
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure the analysis of the Township's telecommunication service agreements.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 23, 2010
GSR:mrm

RESOLUTION #35-2010

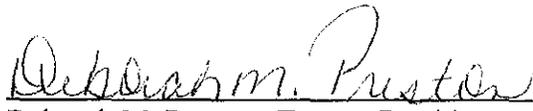
**RESOLUTION TO AUTHORIZE APPLICATION FOR FUNDS
THROUGH THE NEW FREEDOM GRANT PROGRAM &
COMMITMENT OF LOCAL MATCHING FUNDS**

Whereas, the Miami Valley Regional Planning Commission, administers financial assistance for new public transportation services and public transportation alternatives for people with disabilities, through the New Freedom Grant Program; and

Whereas, the Board desires financial assistance under the New Freedom Grant Program; and

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

- Section 1 the Miami Township Board of Trustees authorizes the Township Administrator to execute and file an application with the Miami Valley Regional Planning Commission and to provide all information and documentation required to become eligible for funding assistance; and
- Section 2 the Board commits to providing the required 20% local match as required by the New Freedom grant program.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



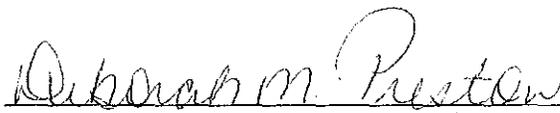
Judy A. Lewis, Fiscal Officer
Passed: February 23, 2010
GAH:mrm

RESOLUTION #36-2010

**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER
FOR SPRING VALLEY PIKE-PHASE V IMPROVEMENTS PROJECT
ADMINISTRATIVE SERVICES**

- 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,** the Miami Township Public Works Department has incurred an expenditure for construction engineering administrative services for the Spring Valley Pike Phase V Improvements Project in the amount of \$8,250.00; 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 \$8,250.00 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Road & Bridge Fund, free of any commitments or encumbrances.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 23, 2010
GSR:mrm

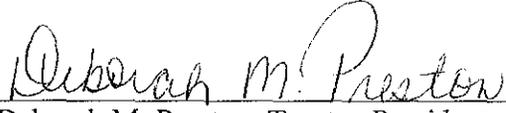
RESOLUTION #37-2010

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

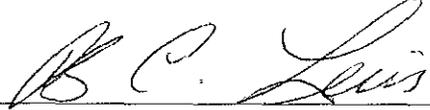
Whereas, Michael Pickering has been a part-time firefighter/EMT since August 8, 2009;
and

Whereas, Michael has decided to resign his position with the fire division to pursue a career
opportunity with Fairfax County Fire & Rescue in Virginia; and

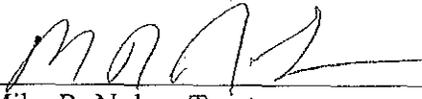
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from Michael Pickering and termination of his employment is
effective March 9, 2010.



Deborah M. Preston, Trustee President

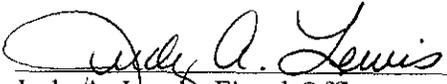


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 9, 2010
GSR:mrm

RESOLUTION #38-2010

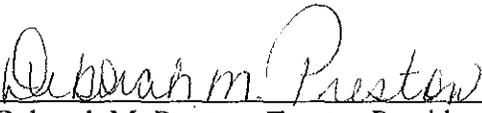
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Andrew Frahm Grade S-1 \$11.96 / per hour

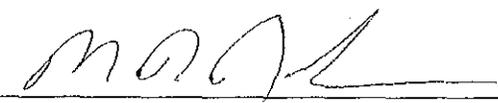
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective March 9, 2010.



Deborah M. Preston, Trustee President

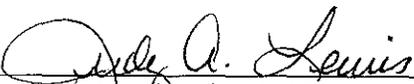


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 9, 2010
GSR:mrm

RESOLUTION #39-2010

**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 as a part-time employee:

Richard Redelberger Grade S-1 \$11.96 / per hour

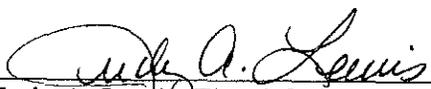
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective March 9, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 9, 2010
GSR:mrm

RESOLUTION #40-2010

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO FILE AN APPLICATION TO THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, TO SUPPORT AN APPLICATION FOR ASSISTANCE UNDER THE OHIO JOB READY SITES PROGRAM

Whereas, the State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of developing speculative sites for future economic development opportunities; and

Whereas, the Board desires to participate by receiving financial assistance for the Austin Advanced Technology Research Park under the Ohio Job Ready Sites Program; and

Whereas, the Board has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Department of Development, through its Ohio Job Ready Sites Program; and

Whereas, the Board must direct and authorize the Site Improvement Project Manager to act in connection with the application and to provide such additional information as may be required; and

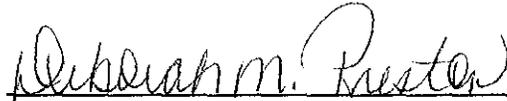
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that:

Section 1 the Miami Township Board of Trustees authorizes the Township Administrator, as the official representative (the "Site Improvement Project Manager") of the Austin Advanced Technology Research Park, to file an application to participate in the State of Ohio, Department of Development's, Ohio Job Ready Sites Program, and provide all information and documentation required in the application for submission; and

Section 2 the Miami Township Board of Trustees hereby approves filing an application for financial assistance under the Ohio Job Ready Sites Program; and

Section 3 the Miami Township Board of Trustees hereby understands and agrees that participation in the program will require compliance with program guidelines and assurances; and

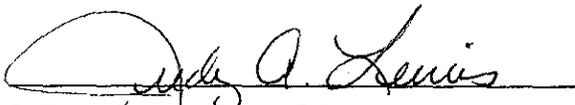
Section 4 the Miami Township Board of Trustees hereby commits itself to provide the relevant portions of the required local match investment, as indicated in the application.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 9, 2010
GAH:mmm

RESOLUTION #41-2010

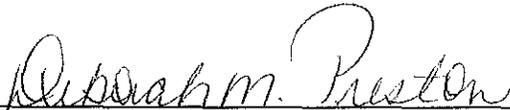
**RESOLUTION TO AUTHORIZE THE EXECUTION AND DELIVERY OF
A RELOCATION COST ESTIMATE AGREEMENT BETWEEN MIAMI
TOWNSHIP AND BP PIPELINES (NORTH AMERICA) INC.**

Whereas, Miami Township desires to relocate an existing pipeline operated by BP Pipelines (North America) Inc. on land owned by Miami Township, and

Whereas, Miami Township desires to obtain from BP Pipelines (North America) Inc. a cost estimate for the proposed relocation; and

Whereas, BP Pipelines (North America) Inc. has provided an Agreement to Develop Relocation Cost Estimate (Exhibit A attached) for the amount of \$2,500; and

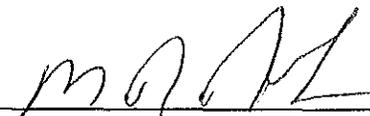
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with BP Pipelines (North America) Inc. in the amount of \$2,500.



Deborah M. Preston, Trustee President

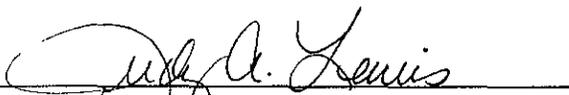


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



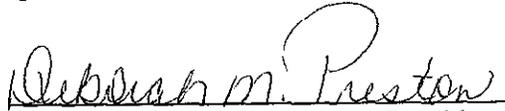
Judy A. Lewis, Fiscal Officer
Passed March 9, 2010
GAH:mmm

RESOLUTION #42-2010

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 15, 2010 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

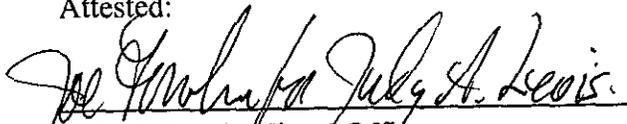
Therefore Be It Resolved, the Miami Township Board of Trustees approves the continuation of the Ohio Enterprise Zone Agreement, approved by Resolution #213-2001, with all the terms and conditions as stated therein with Montgomery County and Oberer Development Company, and to continue the agreement with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


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 23, 2010
GSR:seb

RESOLUTION #43-2010

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A JOINT CONSTRUCTION AGREEMENT WITH THE
CITY OF WEST CARROLLTON, FOR THE RESURFACING OF
STUDENT STREET**

Whereas, the City of West Carrollton (City), with the cooperation of Miami Township (Township), desires to undertake the roadway resurfacing of Student Street; and

Whereas, portions of Student Street lie within the boundaries of the City and within the Township; and

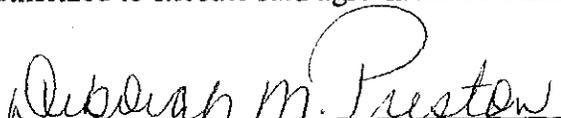
Whereas, it is the desire of both the City and the Township that this resurfacing project be undertaken in a coordinated manner to reduce overall construction costs; and

Whereas, the City shall be designated as the lead agency to solicit bids for this resurfacing work in accordance with approved plans and specifications, and said solicitation to be made in accordance with applicable law; and

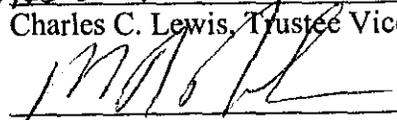
Whereas, the Township's estimated construction cost is \$46,200.00 for work completed within its boundaries; and

Whereas, the Township shall reimburse the City for actual construction costs for work completed within Township boundaries based on contract unit prices, as-built quantities, and construction changes approved by the Township; and

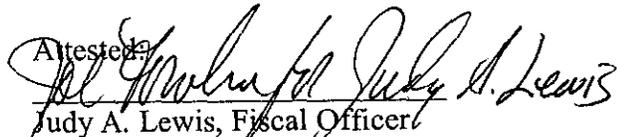
Therefore Be It Resolved, the agreement hereto between the City of West Carrollton and Miami Township for the resurfacing of Student Street is hereby approved and the Township Administrator is authorized to execute said agreement on behalf of Miami Township.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attest:


Judy A. Lewis, Fiscal Officer

Passed: March 23, 2010

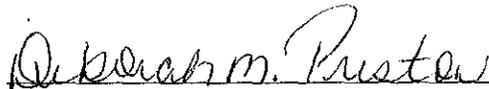
GSR/seb

RESOLUTION #44-2010

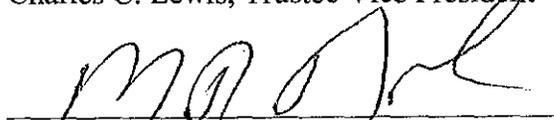
**RESOLUTION TO AWARD A BID FOR THE
2010 MOWING SERVICES PROGRAM**

- Whereas,** there is a need for a mowing and landscape services for Township owned parks and grounds for the 2010 season; and
- Whereas,** a competitive bid process was conducted to solicit sealed bids for a mowing & landscaping services contract for Township owned parks and grounds; and
- Whereas,** Louderback Family Investments, Inc., dba Professional Property Maintenance was the lowest and best bidder for the mowing and landscape services contract; and
- Whereas,** references have been checked for Professional Property Maintenance with all recommendations being favorable; and

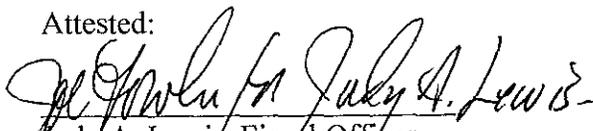
Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with Louderback Family Investments, Inc., dba Professional Property Maintenance, 3545 S Dayton Lakeview, New Carlisle, Ohio, 45344, for mowing & landscaping services as stated in Attachment "A" at a total estimated cost of \$34,060.00, and landscape services at a total estimated cost \$801.00, and to execute all the necessary documents to secure these services.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 23, 2010
GSR: seb

RESOLUTION #45-2010

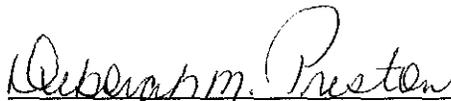
**RESOLUTION TO APPROVE A PAY INCREASE FOR THE
ASSISTANT PLANNING DIRECTOR**

Whereas, Chris Snyder has successfully served four (4) years as Assistant Planning Director for the Planning & Zoning Department; and

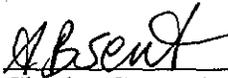
Whereas, a performance evaluation has been conducted by the Assistant Township Administrator; and

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

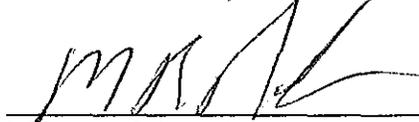
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Chris Snyder, Pay Grade C, to an annual rate of pay of \$76,329.79, effective March 19, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: March 23, 2010

GSR:seb

RESOLUTION #46-2010

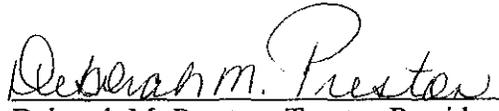
**RESOLUTION TO APPROVE A PAY INCREASE
FOR A DEPUTY FIRE CHIEF**

Whereas, David Schmaltz has successfully served five (5) years as a Deputy Chief for the Miami Township Fire Division; and

Whereas, a performance evaluation was conducted and recommendation submitted; and

Whereas, the Miami Township Board of Trustees has reviewed the evaluation and recommendation of the Fire Chief; and

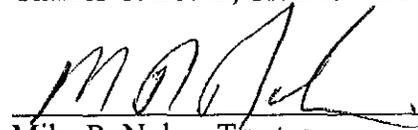
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a .89% salary increase for A. David Schmaltz which will elevate him from \$75,651.51 to \$76,329.79, effective February 28, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: March 23, 2010
GSR:seb

RESOLUTION #47-2010

**RESOLUTION TO AWARD A BID FOR THE
2010 PAVEMENT MAINTENANCE PROGRAM**

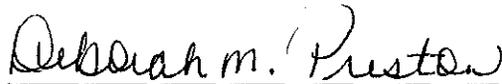
Whereas, there is a need for a Pavement Maintenance Program for street resurfacing in 2010; and

Whereas, a competitive bid process was conducted to solicit sealed bids for pavement maintenance services for streets in need of resurfacing; and

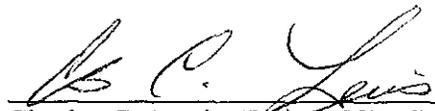
Whereas, Strawser Construction, Inc., was the lowest and best bidder for the pavement maintenance services contract; and

Whereas, references have been checked for Strawser Construction, Inc., with all recommendations being favorable; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with Strawser Construction, Inc., 8600 Berk Boulevard, Hamilton, Ohio, 45015, for Slurry Seal Type II, at a cost of \$1.82 per square yard, and to execute all the necessary documents to secure these services.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: March 13, 2010

GSR:mrm

RESOLUTION #48-2010

RESOLUTION TO APPROVE A THIRD AMENDMENT TO THE MIAMI TOWNSHIP-DAYTON JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD)

- Whereas,** the Ohio Revised Code Sections 715.72 to 715.81 (the "Code"), authorizes one or more municipal corporations, and one or more townships to enter into a contract to establish a joint economic development district ("JEDD") for the purpose of facilitating economic development, to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people in this state, and in the areas of the parties to that contract; and
- Whereas,** Miami Township ("Township") and the City of Dayton ("City") negotiated and entered into a Miami Township-Dayton Joint Economic Development District Contract ("Contract") creating and providing for the operation of a JEDD called the "Miami Township-Dayton Joint Economic Development District" in accordance with the Code; and
- Whereas,** Section 15 of the Contract provides that the Contract may be amended by the Township and the City, only in a writing approved by the respective legislative authorities of the City and the Township by appropriate legislation authorizing the amendment; and
- Whereas,** the Township believes that it is in the best interest of the JEDD to amend the Contract to provide that the City shall have the power to establish or change the official permanent name of any "County Petition Road."; and

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

Section 1. That in accordance with Section 15 of the Miami Township-Dayton Joint Economic Development District Contract ("Contract"), Section 9(P) of the Contract is deleted in its entirety and replaced with the following:

P. In accordance with Section 715.81 of the Revised Code, but only upon the request of the Township after consultation with the District, the City may exercise all of the powers of a municipal corporation, and may perform all of the functions and duties of a municipal corporation, within the Territory, including but not limited to: (1) the acquisition, construction and improvement of public streets, roads and highways and other public improvements located in the Territory and the financing thereof, (2) the levy and collection of special assessments or the establishment of other charges (including tap-in fees) to pay all or a portion of the costs of the facilities and improvements, including those described in this Contract, (3) those powers, functions and duties provided in

Sections 5709.40 through 5709.43 of the Revised Code, (4) those powers, functions and duties provided in Chapter 133 and other sections of the Revised Code authorizing the financing of capital improvements, (5) the imposition of franchise fees and impact fees as applicable, (6) the use of the City's development powers, business assistance powers, intermediary development grant and loan programs and powers, enterprise zone related powers, urban renewal and property appropriation powers, real estate control, building design standards and real estate acquisition powers, (7) the regulation of vehicular and pedestrian traffic, including but not limited to the establishment of speed limits, parking restrictions, and design authorities and other related activities, (8) those powers, functions and duties set forth elsewhere in this Contract, and (9) such other powers, functions and duties that are determined by the City to be necessary to carry out the purpose of this Contract; and all such exercise and performance shall be deemed to be pursuant to and consistent with this Contract; provided, however and notwithstanding the provisions included in this Section 9.P., the City shall not exercise any powers of a municipal corporation with respect to any public streets, roads and highways within the District pursuant to a petition executed on behalf of the County of Montgomery, Ohio ("County Petition Roads") except for the power of a municipal corporation to establish or change the official permanent name of any such County Petition Road and to establish speed limits not to exceed 45 miles per hour with respect to such County Petition Roads.

Section 2. The Miami Township Board of Trustees is authorized to execute any and all documents necessary to effectuate a third amendment to the Contract set forth in Section 1.

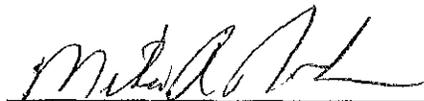
Section 3. This Resolution shall take effect from and after its adoption, as provided by law.



Deborah M. Preston, Trustee President

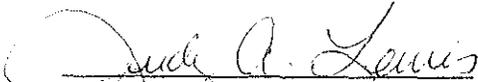


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 13, 2010

GSR:sld

RESOLUTION #49-2010

A RESOLUTION TO PROVIDE FOR THE ISSUANCE BY THE MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO OF NOT TO EXCEED \$3,700,000 IN THE AGGREGATE PRINCIPAL AMOUNT OF BONDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION AND IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A CONTINUING DISCLOSURE AGREEMENT, A BOND REGISTRAR AGREEMENT, AND A BOND PURCHASE AGREEMENT, AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT, AND DECLARING AN EMERGENCY.

Whereas, the Fiscal Officer, has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years and the maximum maturity of the bonds authorized herein is at least twenty years; and

Whereas, pursuant Section 505.262 of the Ohio Revised Code (the "Authorizing Legislation") the Township may issue securities of the Township to finance the purchase of equipment, buildings, and sites, or for the construction of buildings, for any lawful township purpose; and

Whereas, this Board finds that the construction of a new fire station is for lawful township purposes.

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 clearly indicates another or different meaning, as used herein, the following terms shall have the following meanings:

"*Act*" means Chapter 133 of the Ohio Revised Code and Section 505.262 of the Ohio Revised Code.

"*Administrator*" means the Township Administrator of the Township.

"*Annual Information*" means the annual financial information and operating data of the type to be specified in the Continuing Disclosure Certificate in accordance with the Rule.

“*Authorized Denominations*” means the denomination of \$5,000 or any integral multiple thereof or such other denominations are set forth in the Certificate of Award.

“*Bond Proceedings*” means, collectively, this Resolution, the Certificate of Award, the Bond Purchase Agreement, the Bond Registrar Agreement, the Continuing Disclosure Certificate and such other proceedings of the Township, including the Bonds, that provide collectively for, among other things, the rights of holders and the beneficial owners of the Bonds.

“*Bond Purchase Agreement*” means the Bond Purchase Agreement between the Township and the Original Purchaser, as it may be modified from the form on file with the Fiscal Officer and executed in accordance with Section 5 of this Resolution.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds.

“*Bond Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bond Registrar Agreement*” means the Bond Registrar Agreement between the Township and the Bond Registrar, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 6.

“*Bond Retirement Fund*” means the bond retirement fund of the Township.

“*Bonds*” means, collectively, the Serial Bonds and the Term Bonds of each series, each as is designated as such in the Certificate of Award.

“*Certificate of Award*” means the certificate, to be executed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*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, collectively, Continuing Disclosure Certificate and the agreements of the Township set forth in Section 10.

“Continuing Disclosure Certificate” means the certificate authorized by Section 10, to be substantially in the form on file with the Fiscal Officer, and which, together with the agreements of the Township set forth in that subsection (the *“Continuing Disclosure Agreement”*) made by the Township for the benefit of the beneficial owners of the Bonds in accordance with the Rule.

“Direct Payment” means a credit payment allowed pursuant to Section 54AA(g) of the Code with respect to RZ Economic Development Bonds that is payable to the Township by the United States Treasury as provided in Section 6431 of the Code.

“Earliest Optional Redemption Date” means the date, if any, specified as the earliest optional redemption date for the Bonds in the Certificate of Award.

“Fiscal Officer” means the Fiscal Officer of the Township or her designee.

“Interest Payment Date” means a date on which interest owing on the Bonds is due, as determined in accordance with the Certificate of Award.

“Mandatory Redemption Dates” means, as to any of the Bonds which are Term Bonds, the date specified in the Certificate of Award as the dates on which such Term Bonds are to be redeemed through the application of Mandatory Sinking Fund Redemption Requirements.

“Mandatory Sinking Fund Redemption Requirement” means the amount of the principal of the Bonds that is required to be paid, plus interest accrued to the redemption date, on any Mandatory Redemption Date.

“MSRB” means the Municipal Securities Rulemaking Board established by the SEC.

“Optional Redemption Prices” means, the redemption prices (expressed as percentages of the principal amount), if any, at which the Township may elect to redeem Bonds other than by mandatory redemption through application of Mandatory Sinking Fund Redemption Requirements.

“Original Purchaser” means George K. Baum & Company, as the original purchaser of the Bonds.

"Principal Retirement Dates" means the dates on which the Bonds are to be retired (whether at their stated maturity or on Mandatory Redemption Dates), as specified pursuant to this Resolution in the Certificate of Award.

"Principal Retirement Schedule" means the schedule of the principal amount of the Bonds to be retired on the Principal Retirement Dates in accordance with their stated maturities or to be redeemed by mandatory redemption on the Mandatory Redemption Dates, as specified pursuant to this Resolution in the Certificate of Award.

"Regulations" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"RZ Economic Development Bonds" means Bonds that are Recovery Zone Economic Development Bonds within the meaning of Section 14000u-2(b) of the Code.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Specified Events" means the occurrence of any of the following events, if material, within the meaning of the Rule, with respect to the Bonds, as applicable: principal and interest payment delinquencies; non-payment related defaults; unscheduled draws on debt service reserves reflecting financial difficulties; unscheduled draws on credit enhancements reflecting financial difficulties; substitution of credit or liquidity providers, or their failure to perform; adverse tax opinions or events affecting the tax-exempt status of the Bonds; modifications to rights of holders or beneficial owners of the Bonds; Bond calls; defeasances; release, substitution, or sale of property securing repayment of the Bonds; and rating changes. The repayment of the Bonds is not secured by a lien on any property capable of release or sale or for which other property may be substituted.

"Taxable Bonds" means Bonds that are issued and sold as obligations to which Section 103 of the Code does not apply and the interest on which is not in gross income for federal income tax purposes.

"Tax-Exempt Bonds" means Bonds that are issued and sold as obligations to which Section 103 of the Code applies, the interest on which is excluded from gross income for federal income tax purposes.

“*Tax Status*” means the status of Bonds as Taxable Bonds, Tax-Exempt Bonds or RZ Economic Development Bonds.

“*Term Bonds*” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

“*Term Maturity Date*” means as to any Bonds, such date or dates on which Bonds which are Term Bonds, if any, mature at their stated maturities, as specified pursuant to this Resolution in the Certificate of Award.

Section 2. Authorization and Purpose; Use of Proceeds; Interest Rates. It is hereby declared necessary to issue Bonds of the Township in the aggregate principal amount of not to exceed \$3,700,000 (the “Bonds”) for the purpose of paying the costs of constructing, furnishing and equipping a new fire station and improving the site therefor, together with all necessary and related appurtenances thereto (the “Project”).

The aggregate principal amount of the Bonds shall not exceed the maximum aggregate principal amount specified in the Section 2 and shall be an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Project, the estimates of the financing costs and the interest rate on the Bonds

The proceeds from the sale of the Bonds received by the Township, except the premium or accrued interest thereon, are hereby appropriated and shall be paid into the proper fund or funds and used for the purposes for which the Bonds are being issued under the provisions of this Resolution and may be used to pay those certain costs of issuance set forth in Section 133.15(B) of the Ohio Revised Code: any such costs also may be paid out of any other lawfully available moneys of the Township and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. Any portion of the proceeds received by the Township representing premium or accrued interest on the Bonds shall be paid into the Bond Retirement Fund. The Certificate of Award and the Bond Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of certain costs of issuance on behalf of the Township.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Certificate of Award shall state whether the Bonds shall be issued as one or more series, and, if issued as more than a single series, whether all series of the Bonds will be issued with the same Tax Status or whether one or more series of the Bonds shall be issued with a different Tax Status than other series of the Bonds. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date

exceeding the principal amount maturing on that date. Each series of Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Fiscal Officer is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds of a series maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

- (a) Interest Rates and Payment Dates. The Bonds of each series shall bear the rate or rates 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, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.
- (b) Principal Payment Schedule. The Bonds of each series shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the Township.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the Township, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds of each series to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds of each series to be issued as Term Bonds, the Mandatory Redemption Dates and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

- (c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds of each series and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 12.00% per year.
- (d) Payment of Bond Service Charges. The bond service charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the

services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds of each series may be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any series of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the Mandatory Sinking Fund Redemption Requirements.

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The Township shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the Township, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the Township on or before the 45th day preceding any Mandatory Redemption Date with respect to which the Township wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the Township for any Term Bonds which prior thereto have been redeemed (other than

through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

- (ii) Optional Redemption. The Bonds, if any, or any of series of the Bonds, of interest rates and maturities specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; *provided* that the Earliest Optional Redemption Date shall not be later than December 1, 2020, and the redemption price for the Earliest Optional Redemption Date shall not be greater than 103%, and *provided further* that such determinations shall be consistent with the terms of the Township Bonds. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and Tax Status and/or interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.
- (iii) Extraordinary Optional Redemption Relating to RZ Economic Development Bonds. If any series of the Bonds are designated in the Certificate of Award as RZ Economic Development Bonds, the Fiscal Officer is hereby authorized to determine in the Certificate of Award, which determination shall be made if it is in the best interest of and financially advantageous to the Township, whether any of those Bonds shall be subject to extraordinary optional redemption in accordance with this paragraph. Any Bonds identified in the Certificate of Award as being subject to this paragraph shall be subject to extraordinary optional redemption prior to maturity, by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, at a price (plus accrued interest to the redemption date) and on such date or dates to be determined by the Fiscal Officer in the Certificate of

Award, in the event that the government of the United States of America evidences, in the sole judgment of the Secretary-Treasurer, by action or failure to act that it will not provide for Direct Payments to be made to the Township in an amount equal to or greater than: forty-five percent (45%) of the interest payment on those Bonds on any Interest Payment Date. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

The Fiscal Officer may determine in the Certificate of Award that the selection of RZ Economic Development Bonds to be redeemed shall be made by a method other than by lot if that alternative methodology is determined by the Fiscal Officer to be in the best interest of and financially advantageous to the Township.

- (iv) Partial Redemption. If fewer than all of the outstanding Bonds of a single series are called for optional or extraordinary redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or interest rates selected by the Township. If optional or extraordinary optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. If fewer than all of the Bonds of a single maturity, or, if applicable, or any single interest rate within a maturity, are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond 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 Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption

and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

- (v) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds 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 Bond 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 Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond 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 any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.
- (vi) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d), 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 all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond 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 those Bonds and portions thereof called for redemption 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, those Bonds 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 moneys held by the Bond Registrar for the redemption of particular Bonds 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 Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Bonds called for redemption.

- (f) Tax Status and Related Series Designations. The respective principal amounts of the Bonds, or any series thereof, to be issued as Taxable Bonds, Tax-Exempt Bonds and RZ Economic Development Bonds shall be determined by the Fiscal Officer in the Certificate of Award, having due regard to the best interest of and financial advantages to the Township. To the extent the Fiscal Officer determines that it would be in the best interest of and financially advantageous to the Township and to facilitate the sale of the Bonds, the Fiscal Officer shall assign, as provided in this Resolution, a separate series designation to the respective principal amounts of the Bonds to be issued as Taxable Bonds, Tax-Exempt Bonds and RZ Economic Development Bonds in the Certificate of Award; *provided* that all of such Bonds shall be treated as a single issue for purposes of this Resolution.

Section 4. Execution and Authentication of Bonds. Pursuant to Section 133.30(B), Ohio Revised Code, the Fiscal Officer may combine the Bonds with other bonds into a single consolidated issue of bonds for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bonds, Series 2010B"; such bonds shall contain a summary statement of purposes encompassing the purpose for which the Bonds are issued; shall be issued in such numbers and denominations as may be requested by the original purchaser; and shall be executed by two or more members of this Board of Trustees and by the Fiscal Officer, one or both of whose signatures may be a facsimile signature.

Such bonds, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of bonds, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the Township, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the bonds shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the bonds as such shall not be transferable or exchangeable.

except for transfer to another Depository or to another nominee of a Depository, without further action by the Board of Trustees of the Township.

If any Depository determines not to continue to act as a Depository for the bonds for use in a book-entry system, the Fiscal Officer may attempt to have established 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, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the bonds from the Depository, and authenticate and deliver bond certificates in bearer or registered form, as he determines, 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 Council action or inaction, of those persons requesting such issuance.

As used in this Section and this ordinance:

"Book-entry form" or *"book-entry system"* means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical bonds are issued only to a Depository or its nominee as owner, with the bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"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.

Section 5. Purchase and Sale of Bonds; Application of Proceeds. It is determined to be in the best interest of the Township that the Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds 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 Certificate of Award, in accordance with law and the provisions of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The Fiscal Officer or the Administrator are authorized to sign and deliver, in the name and on behalf of the Township, the Bond Purchase Agreement between the Township and the Original Purchaser, in substantially the form as is now on file with the Fiscal Officer. The Bond Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the officer executing such agreement on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments thereto.

Each member of this Board, the Township Administrator and the Fiscal Officer, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents, agreements, representations and instruments, and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer, in accordance with her determination of the best interests of and financial advantages to the Township and conditions then existing in the financial market, all consistently with the provisions of this Resolution, shall establish the terms of the Bonds to be specified in the Certificate of Award in accordance with the terms of this Resolution, shall sign the Certificate of Award evidencing the sale of the Bonds, shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Administrator has obtained the services of qualified Bond Counsel, and his selection of Calfee, Halter & Griswold LLP, as Bond Counsel for the Bonds is hereby confirmed, approved and ratified.

Section 6. Bond Registrar Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Bond Registrar Agreement between the Township and the Registrar. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

Section 7. Provision for Tax Levy. For the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to pay the principal of the Bonds when due, there shall be and is hereby levied on all taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to provide funds to pay the interest upon the Bonds as and when the same fall due, and also to provide a fund for the payment of the principal of the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Constitution of Ohio. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before

and in preference to all other items and for the full amount thereof. The funds derived from the tax levy hereby required shall be placed in a separate and distinct fund, which, together with the interest collected on the same (other than such interest as may be required to be rebated to the federal government), shall be irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due; provided, however, that in each year to the extent that other revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the Township shall be reduced by the amount of such other revenues so available and appropriated.

Section 8. Federal Tax Considerations.

- (a) Tax-Exempt Bonds. The representations and covenants in this subsection (a) apply only to Bonds of a series issued and sold as Tax-Exempt Bonds.

The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (i) the Bonds will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain Tax-Exempt Bonds, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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.

- (b) RZ Economic Development Bonds. The representations and covenants in this subsection (b) apply only to Bonds of a series issued and sold as RZ Economic Development Bonds.

The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that the Bonds will qualify as RZ Economic Development Bonds, as applicable, under the applicable provisions of Section 54AA of the Code.

The Township further covenants that (i) it will take or cause to be taken such actions that may be required of it for the Bonds to qualify and remain qualified as RZ

Economic Development Bonds, including, but not limited to, making an irrevocable election for the Bonds to be RZ Economic Development Bonds, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, including, but not limited to, allowing the sale of a Bond with more than a de minimis amount (determined under rules similar to those of Section 1273(a)(3) of the Code) of premium over the stated principal amount of the Bonds, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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 Tax Status under Section 54AA of the Code.

- (c) Further Actions. The Fiscal Officer, as the fiscal officer of the Township, or any other officer of the Township having responsibility for issuance of the Bonds, is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Bonds as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, the election to issue a portion of the Bonds as RZ Economic Development Bonds and any of the elections provided for in Section 54AA, 148(f)(4)(C) or 14000-2 of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or Tax Status of the Bonds or interest thereon or an entitlement to Direct Payments relating thereto 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 Tax-Exempt Bonds, 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 Tax-Exempt Bonds, as determined by that officer, which action shall be in writing and signed by the officer, (ii) 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 intended Tax Status of the Bonds or the Township's entitlement to receive one or more Direct Payments, and (iii) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Bonds, 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 Direct Payments relating to the Bonds and the Tax Status of the Bonds. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is specifically authorized to designate Tax-Exempt Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants, including, but not limited to, compliance with the Davis-Bacon Act imposed upon the Project by the provisions of the American Recovery and Reinvestment Act of 2009.

Section 9. Official Statement. A preliminary official statement of the Township relating to the original issuance of the Bonds is authorized to be distributed. The preliminary official statement in the form currently on file with the Administrator is approved, together with any changes or amendments as are not inconsistent with this Resolution. The President of the Board, Administrator and Fiscal Officer, and either one of them, are authorized and directed to complete and sign, on behalf of the Township and in their official capacities, an official statement, with such modifications, changes and supplements from the preliminary official statement as those officers or any one of them shall approve or authorize. Those officers are authorized, on behalf of the Township and in their official capacities, to (i) determine, and to certify or otherwise represent, when the preliminary official statement is "deemed final" (except for permitted omissions) by the Township as of its date or when the official statement is a final official statement for purposes of the Rule, (ii) 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 Bonds, and (iii) complete and sign those official statements as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements.

Section 10. Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the Township agrees, 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 paragraph (d)(2) of the Rule. The Township further agrees, in particular, to provide or cause to be provided:

- (i) to the MSRB, at least annually, (A) Annual Information for each Township fiscal year ending hereafter, not later than the 270th day following the end of the fiscal year, and (B) when and if available, audited Township financial statements for each such fiscal year; and,
- (ii) to the MSRB, in a timely manner, notice of (A) any Specified Event if that Event is material, (B) the Township's failure to provide the Annual Information within the time specified above, and (C) any change in the accounting principles applied in the preparation of its annual financial statements, any change in its fiscal year, its failure to appropriate funds to meet costs to be incurred to perform the Continuing Disclosure Agreement, and of the termination of the Continuing Disclosure Agreement.

The Township further agrees that all documents provided to the MSRB shall be in the form and accompanied by identifying information as prescribed by the MSRB.

In order to further describe and specify certain terms of the Township's Continuing Disclosure Agreement made for purposes of the Rule, the Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure

Certificate, in the name and on behalf of the Township. The Continuing Disclosure Certificate is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Certificate.

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 in accordance with clause (ii) above or providing notice of the occurrence of any other events, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, 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 Township reserves the right to amend its Continuing Disclosure Agreement, and to obtain the waiver of noncompliance with any provision of the Continuing Disclosure Agreement, as may be necessary or appropriate to achieve its compliance with any applicable federal securities law or rule, to cure any ambiguity, inconsistency or formal defect or omission, and to address any change in circumstances arising from a change in legal requirements, change in law, or change in the identity, nature, or status of the Township, or type of business conducted by the Township. Any such amendment or waiver will not be effective unless the Continuing Disclosure Agreement (as amended or taking into account such waiver) would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any applicable amendments to or official interpretations of the Rule, as well as any change in circumstances, and until the Township shall have received: either (i) a written opinion of bond or other qualified independent special counsel selected by the Township that the amendment or waiver would not materially impair the interests of holders or beneficial owners of the Bonds or (ii) the written consent to the amendment or waiver of the holders of at least a majority of the principal amount of the Bonds then outstanding.

The Township's Continuing Disclosure Agreement shall be solely for the benefit of the holders and beneficial owners from time to time of the Bonds. The exclusive remedy for any breach of the Continuing Disclosure Agreement by the Township shall be limited, to the extent permitted by law, to a right of the holders and beneficial owners to institute and maintain, or to cause to be instituted and maintained, such proceedings as may be authorized at law or in equity to obtain the specific performance by the Township of its obligations under the Continuing Disclosure Agreement. Any individual holder or beneficial owner may institute and maintain, or cause to be instituted and maintained, such proceedings to require the Township to provide or cause to be provided a pertinent filing if such a filing is due and has not been made. Any such proceedings to require the Township to perform any other obligation under the Continuing Disclosure Agreement (including any

proceedings that contest the sufficiency of any pertinent filing) shall be instituted and maintained only by a trustee appointed by the holders and beneficial owners of not less than 25% in principal amount of the Bonds then outstanding, or by holders and beneficial owners of not less than 10% in principal amount of the Bonds then outstanding in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as applicable (or any like or comparable successor provisions).

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.

The Township's Continuing Disclosure Agreement shall remain in effect only for such period that the Bonds are outstanding in accordance with their terms and the Township remains an obligated person with respect to the Bonds within the meaning of the Rule.

Section 11. Ratings and Bond Insurance. If, in the judgment of the Administrator or the Fiscal Officer, the filing of an application for (i) a rating on the Bonds 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 and interest on the Bonds, is in the best interest of and financially advantageous to the Township, the Board of Trustees authorizes and directs the Fiscal Officer to prepare and submit those applications and to provide to each such agency or company the information required for the purpose. This Board of Trustees hereby authorizes and approves the expenditure of the amounts necessary to secure such insurance and authorizes and directs the Administrator and the Fiscal Officer to provide for the payment of those amounts from any funds lawfully available that are appropriated for that purpose. To the extent actions have already been taken in connection with obtaining a rating or a policy of insurance, such actions are hereby confirmed and ratified.

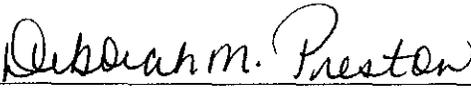
Section 12. Delivery to County Auditor. The Fiscal Officer is hereby directed to forward a certified copy of this Resolution to the County Auditor.

Section 13. Satisfaction of Conditions for Bond Issuance It is hereby determined that all acts, conditions and things necessary to be done precedent to and in and for the issuing of the Bonds in order to make them legal, valid and binding obligations of the Township have been performed in regular and due form as required by law; that the full faith and credit of the Township shall be and are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in issuing the Bonds.

Section 14. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the passage of this Resolution were passed 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 15. Effective Date. This Resolution shall take effect immediately upon its adoption.



Deborah M. Preston, Trustee President

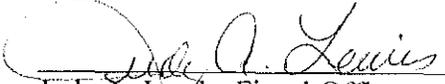


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 13, 2010

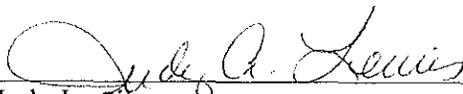
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FISCAL OFFICER'S CERTIFICATE
Miami Township (Montgomery County), Ohio
April __, 2010

TO THE BOARD OF TRUSTEES OF MIAMI TOWNSHIP (MONTGOMERY COUNTY"),
OHIO

The undersigned, Fiscal Officer of Miami Township (Montgomery County), Ohio, as fiscal officer of Miami Township (Montgomery County), Ohio, as defined by Revised Code Section 133.01, hereby certifies as follows in connection with your proposed issue of not to exceed \$3,700,000 of bonds for the purpose of constructing, furnishing and equipping a new fire station and improving the site therefore, together with all necessary and related appurtenances thereto:

1. That the estimated life of such construction is hereby certified to be at least five (5) years.
2. That the maximum maturity of said bonds, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least twenty (20) years, since by my estimate if and to the extent a portion of the proceeds of such bonds may be determined to be allocated to a class or classes of improvements having a maximum maturity of less than twenty years but in excess of five years, then the maximum maturity of such bonds would still be at least twenty years by reason of a sufficient portion of the proceeds of such bonds allocated to a class or classes having a maximum maturity in excess of twenty years; provided that if notes in anticipation of such bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of such bonds.



Judy Lewis
Fiscal Officer
Miami Township (Montgomery County), Ohio

RESOLUTION #50-2010

A RESOLUTION TO PROVIDE FOR THE ISSUANCE BY THE MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO OF NOT TO EXCEED \$5,300,000 IN THE AGGREGATE PRINCIPAL AMOUNT OF BONDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING AND EQUIPPING A PUBLIC WORKS MAINTENANCE FACILITY THAT PROVIDES FOR THE MAINTENANCE OF TOWNSHIP ROADWAYS, EQUIPMENT, AND PROPERTIES, IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL APPURTENANCES THERETO AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A BOND REGISTRAR AGREEMENT, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT. AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT, AND DECLARING AN EMERGENCY.

Whereas, the Fiscal Officer, has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years and the maximum maturity of the bonds authorized herein is at least twenty years; and

Whereas, pursuant Section 505.262 of the Ohio Revised Code (the "Authorizing Legislation") the Township may issue securities of the Township to finance the purchase of equipment, buildings, and sites, or for the construction of buildings, for any lawful township purpose; and

Whereas, this Board finds that the construction of a new public works maintenance facility is for lawful township purposes.

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 clearly indicates another or different meaning, as used herein, the following terms shall have the following meanings:

"*Act*" means Chapter 133 of the Ohio Revised Code and Section 505.262 of the Ohio Revised Code.

"*Administrator*" means the Township Administrator of the Township.

"*Annual Information*" means the annual financial information and operating data of the type to be specified in the Continuing Disclosure Certificate in accordance with the Rule.

“Authorized Denominations” means the denomination of \$5,000 or any integral multiple thereof or such other denominations are set forth in the Certificate of Award.

“Bond Proceedings” means, collectively, this Resolution, the Certificate of Award, the Bond Purchase Agreement, the Bond Registrar Agreement, the Continuing Disclosure Certificate and such other proceedings of the Township, including the Bonds, that provide collectively for, among other things, the rights of holders and the beneficial owners of the Bonds.

“Bond Purchase Agreement” means the Bond Purchase Agreement between the Township and the Original Purchaser, as it may be modified from the form on file with the Fiscal Officer and executed in accordance with Section 6 of this Resolution.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds.

“Bond Registrar” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, *“Bond Registrar”* shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the Township and the Bond Registrar, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 6.

“Bond Retirement Fund” means the bond retirement fund of the Township.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds of each series, each as is designated as such in the Certificate of Award.

“Certificate of Award” means the certificate, to be executed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“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, collectively, Continuing Disclosure Certificate and the agreements of the Township set forth in Section 10.

“Continuing Disclosure Certificate” means the certificate authorized by Section 10, to be substantially in the form on file with the Fiscal Officer, and which, together with the agreements of the Township set forth in that subsection (the *“Continuing Disclosure Agreement”*) made by the Township for the benefit of the beneficial owners of the Bonds in accordance with the Rule.

“Direct Payment” means a credit payment allowed pursuant to Section 54AA(g) of the Code with respect to RZ Economic Development Bonds that is payable to the Township by the United States Treasury as provided in Section 6431 of the Code.

“Earliest Optional Redemption Date” means the date, if any, specified as the earliest optional redemption date for the Bonds in the Certificate of Award.

“Fiscal Officer” means the Fiscal Officer of the Township or her designee.

“Interest Payment Date” means a date on which interest owing on the Bonds is due, as determined in accordance with the Certificate of Award.

“Mandatory Redemption Dates” means, as to any of the Bonds which are Term Bonds, the date specified in the Certificate of Award as the dates on which such Term Bonds are to be redeemed through the application of Mandatory Sinking Fund Redemption Requirements.

“Mandatory Sinking Fund Redemption Requirement” means the amount of the principal of the Bonds that is required to be paid, plus interest accrued to the redemption date, on any Mandatory Redemption Date.

“MSRB” means the Municipal Securities Rulemaking Board established by the SEC.

“Optional Redemption Prices” means, the redemption prices (expressed as percentages of the principal amount), if any, at which the Township may elect to redeem Bonds other than by mandatory redemption through application of Mandatory Sinking Fund Redemption Requirements.

“Original Purchaser” means George K. Baum & Company, as the original purchaser of the Bonds.

“Principal Retirement Dates” means the dates on which the Bonds are to be retired (whether at their stated maturity or on Mandatory Redemption Dates), as specified pursuant to this Resolution in the Certificate of Award.

“Principal Retirement Schedule” means the schedule of the principal amount of the Bonds to be retired on the Principal Retirement Dates in accordance with their stated maturities or to be redeemed by mandatory redemption on the Mandatory Redemption Dates, as specified pursuant to this Resolution in the Certificate of Award.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

“*Rule*” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“*RZ Economic Development Bonds*” means Bonds that are Recovery Zone Economic Development Bonds within the meaning of Section 14000u-2(b) of the Code.

“*SEC*” means the Securities and Exchange Commission.

“*Serial Bonds*” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“*Specified Events*” means the occurrence of any of the following events, if material, within the meaning of the Rule, with respect to the Bonds, as applicable: principal and interest payment delinquencies; non-payment related defaults; unscheduled draws on debt service reserves reflecting financial difficulties; unscheduled draws on credit enhancements reflecting financial difficulties; substitution of credit or liquidity providers, or their failure to perform; adverse tax opinions or events affecting the tax-exempt status of the Bonds; modifications to rights of holders or beneficial owners of the Bonds; Bond calls; defeasances; release, substitution, or sale of property securing repayment of the Bonds; and rating changes. The repayment of the Bonds is not secured by a lien on any property capable of release or sale or for which other property may be substituted.

“*Taxable Bonds*” means Bonds that are issued and sold as obligations to which Section 103 of the Code does not apply and the interest on which is not in gross income for federal income tax purposes.

“*Tax-Exempt Bonds*” means Bonds that are issued and sold as obligations to which Section 103 of the Code applies, the interest on which is excluded from gross income for federal income tax purposes.

“*Tax Status*” means the status of Bonds as Taxable Bonds, Tax-Exempt Bonds or RZ Economic Development Bonds.

“*Term Bonds*” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

“*Term Maturity Date*” means as to any Bonds, such date or dates on which Bonds which are Term Bonds, if any, mature at their stated maturities, as specified pursuant to this Resolution in the Certificate of Award.

Section 2.

Authorization and Purpose; Use of Proceeds; Interest Rates. It is hereby declared necessary to issue Bonds of the Township in the aggregate principal amount of not to exceed \$5,300,000 (the “Bonds”) for the purpose of paying the costs of constructing, furnishing and equipping a public works maintenance facility that

provides for the maintenance of township roadways, equipment, and properties, improving the sites therefor, together with all appurtenances thereto (the "Project").

The aggregate principal amount of the Bonds shall not exceed the maximum aggregate principal amount specified in the Section 2 and shall be an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Project, the estimates of the financing costs and the interest rate on the Bonds

The proceeds from the sale of the Bonds received by the Township, except the premium or accrued interest thereon, are hereby appropriated and shall be paid into the proper fund or funds and used for the purposes for which the Bonds are being issued under the provisions of this Resolution and may be used to pay those certain costs of issuance set forth in Section 133.15(B) of the Ohio Revised Code: any such costs also may be paid out of any other lawfully available moneys of the Township and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. Any portion of the proceeds received by the Township representing premium or accrued interest on the Bonds shall be paid into the Bond Retirement Fund. The Certificate of Award and the Bond Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of certain costs of issuance on behalf of the Township.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions.

The Certificate of Award shall state whether the Bonds shall be issued as one or more series, and, if issued as more than a single series, whether all series of the Bonds will be issued with the same Tax Status or whether one or more series of the Bonds shall be issued with a different Tax Status than other series of the Bonds. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Each series of Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Fiscal Officer is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds of a series maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

- (a) Interest Rates and Payment Dates. The Bonds of each series shall bear the rate or rates 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, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.
- (b) Principal Payment Schedule. The Bonds of each series shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal

Payment Dates in principal amounts as shall be determined by the Fiscal Officer in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the Township.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the Township, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds of each series to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds of each series to be issued as Term Bonds, the Mandatory Redemption Dates and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

- (c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds of each series and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 12.00% per year.
- (d) Payment of Bond Service Charges. The bond service charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.
- (e) Redemption Provisions. The Bonds of each series may be subject to redemption prior to stated maturity as follows:
 - (i) Mandatory Sinking Fund Redemption of Term Bonds. If any series of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the Mandatory Sinking Fund Redemption Requirements.

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date

pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The Township shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the Township, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the Township on or before the 45th day preceding any Mandatory Redemption Date with respect to which the Township wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the Township for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

- (ii) Optional Redemption. The Bonds, if any, or any of series of the Bonds, of interest rates and maturities specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; *provided* that the Earliest Optional Redemption Date shall not be later than December 1, 2020, and the redemption price for the Earliest Optional Redemption Date shall not be greater than 103%, and *provided further* that such determinations shall be consistent with the terms of the Township Bonds. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the

direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and Tax Status and/or interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

- (iii) Extraordinary Optional Redemption Relating to RZ Economic Development Bonds. If any series of the Bonds are designated in the Certificate of Award as RZ Economic Development Bonds, the Fiscal Officer is hereby authorized to determine in the Certificate of Award, which determination shall be made if it is in the best interest of and financially advantageous to the Township, whether any of those Bonds shall be subject to extraordinary optional redemption in accordance with this paragraph. Any Bonds identified in the Certificate of Award as being subject to this paragraph shall be subject to extraordinary optional redemption prior to maturity, by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, at a price (plus accrued interest to the redemption date) and on such date or dates to be determined by the Fiscal Officer in the Certificate of Award, in the event that the government of the United States of America evidences, in the sole judgment of the Secretary-Treasurer, by action or failure to act that it will not provide for Direct Payments to be made to the Township in an amount equal to or greater than: forty-five percent (45%) of the interest payment on those Bonds on any Interest Payment Date. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

The Fiscal Officer may determine in the Certificate of Award that the selection of RZ Economic Development Bonds to be redeemed shall be made by a method other than by lot if that alternative methodology is determined by the Fiscal Officer to be in the best interest of and financially advantageous to the Township.

- (iv) Partial Redemption. If fewer than all of the outstanding Bonds of a single series are called for optional or extraordinary redemption at one time and Bonds of more than one maturity (or interest rate within a maturity, if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or interest rates selected by the Township. If optional or extraordinary optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. If fewer than all of the Bonds of a single maturity, or, if applicable, of any single interest rate within a maturity, are

to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000, or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond 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 Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmaturing and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

- (v) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds 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 Bond 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 Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond 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 any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

- (vi) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d), 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 all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond 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 those Bonds and portions thereof called for redemption 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, those Bonds 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 moneys held by the Bond Registrar for the redemption of particular Bonds 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 Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Bonds called for redemption.

- (f) Tax Status and Related Series Designations. The respective principal amounts of the Bonds, or any series thereof, to be issued as Taxable Bonds, Tax-Exempt Bonds and RZ Economic Development Bonds shall be determined by the Fiscal Officer in the Certificate of Award, having due regard to the best interest of and financial advantages to the Township. To the extent the Fiscal Officer determines that it would be in the best interest of and financially advantageous to the Township and to facilitate the sale of the Bonds, the Fiscal Officer shall assign, as provided in this Resolution, a separate series designation to the respective principal amounts of the Bonds to be issued as Taxable Bonds, Tax-Exempt Bonds and RZ Economic Development Bonds in the Certificate of Award; *provided* that all of such Bonds shall be treated as a single issue for purposes of this Resolution.

Section 4. Execution and Authentication of Bonds. Pursuant to Section 133.30(B), Ohio Revised Code, the Fiscal Officer may combine the Bonds with other bonds into a single consolidated issue of bonds for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bonds, Series 2010B"; such bonds shall contain a summary statement of purposes encompassing the purpose for which the Bonds are issued; shall be issued in such numbers and denominations as may be requested by the original purchaser; and shall be executed by two or more members of this Board of Trustees and by the Fiscal Officer, one or both of whose signatures may be a facsimile signature.

Such bonds, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of bonds, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the Township, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the bonds shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be

shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Board of Trustees of the Township.

If any Depository determines not to continue to act as a Depository for the bonds for use in a book-entry system, the Fiscal Officer may attempt to have established 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, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the bonds from the Depository, and authenticate and deliver bond certificates in bearer or registered form, as he determines, 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 Council action or inaction, of those persons requesting such issuance.

As used in this Section and this ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical bonds are issued only to a Depository or its nominee as owner, with the bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"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.

Section 5. Purchase and Sale of Bonds; Application of Proceeds. It is determined to be in the best interest of the Township that the Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds 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 Certificate of Award, in accordance with law and the provisions of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The Fiscal Officer or the Administrator are authorized to sign and deliver, in the name and on behalf of the Township, the Bond Purchase Agreement between the Township and the Original Purchaser, in substantially the form as is now on file with the Fiscal Officer. The Bond Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the officer executing such agreement on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments thereto.

Each member of this Board, the Township Administrator and the Fiscal Officer, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents, agreements, representations and instruments, and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer, in accordance with her determination of the best interests of and financial advantages to the Township and conditions then existing in the financial market, all consistently with the provisions of this Resolution, shall establish the terms of the Bonds to be specified in the Certificate of Award in accordance with the terms of this Resolution, shall sign the Certificate of Award evidencing the sale of the Bonds, shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Administrator has obtained the services of qualified Bond Counsel, and his selection of Calfee, Halter & Griswold LLP, as Bond Counsel for the Bonds is hereby confirmed, approved and ratified.

Section 6. Bond Registrar Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Bond Registrar Agreement between the Township and the Registrar. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

Section 7. Provision for Tax Levy. For the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to pay the principal of the Bonds when due, there shall be and is hereby levied on all taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to provide funds to pay the interest upon the Bonds as and when the same fall due, and also to provide a fund for the payment of the principal of the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Constitution of Ohio. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levy hereby required shall be placed in a separate and distinct fund, which, together with the interest collected on the same (other than such interest as may be required to be rebated to the federal government), shall be

irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due; provided, however, that in each year to the extent that other revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the Township shall be reduced by the amount of such other revenues so available and appropriated.

Section 8. Federal Tax Considerations.

- (a) Tax-Exempt Bonds. The representations and covenants in this subsection (a) apply only to Bonds of a series issued and sold as Tax-Exempt Bonds.

The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (i) the Bonds will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain Tax-Exempt Bonds, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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.

- (b) RZ Economic Development Bonds. The representations and covenants in this subsection (b) apply only to Bonds of a series issued and sold as RZ Economic Development Bonds.

The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that the Bonds will qualify as RZ Economic Development Bonds, as applicable, under the applicable provisions of Section 54AA of the Code.

The Township further covenants that (i) it will take or cause to be taken such actions that may be required of it for the Bonds to qualify and remain qualified as RZ Economic Development Bonds, including, but not limited to, making an irrevocable election for the Bonds to be RZ Economic Development Bonds, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, including, but not limited to, allowing the sale of a Bond with more than a de minimis amount (determined under rules similar to those of Section 1273(a)(3) of the Code) of premium over the stated principal amount of the Bonds, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal

government, (D) maintain books and records and make calculations and reports and (E) 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 Tax Status under Section 54AA of the Code.

- (c) Further Actions. The Fiscal Officer, as the fiscal officer of the Township, or any other officer of the Township having responsibility for issuance of the Bonds, is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Bonds as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, the election to issue a portion of the Bonds as RZ Economic Development Bonds and any of the elections provided for in Section 54AA, 148(f)(4)(C) or 14000-2 of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or Tax Status of the Bonds or interest thereon or an entitlement to Direct Payments relating thereto 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 Tax-Exempt Bonds, 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 Tax-Exempt Bonds, as determined by that officer, which action shall be in writing and signed by the officer; (ii) 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 intended Tax Status of the Bonds or the Township's entitlement to receive one or more Direct Payments, and (iii) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Bonds, 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 Direct Payments relating to the Bonds and the Tax Status of the Bonds. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is specifically authorized to designate Tax-Exempt Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants, including, but not limited to, compliance with the Davis-Bacon Act imposed upon the Project by the provisions of the American Recovery and Reinvestment Act of 2009.

Section 9. Official Statement. A preliminary official statement of the Township relating to the original issuance of the Bonds is authorized to be distributed. The preliminary official statement in the form currently on file with the Administrator is approved, together with any changes or amendments as are not inconsistent with this Resolution. The President of the Board, Administrator and Fiscal Officer, and either one of them, are authorized and directed to complete and sign, on behalf of the Township and in their official capacities, an official statement, with such modifications, changes and supplements from the preliminary official statement as those officers or any one of them shall approve or authorize. Those officers are authorized, on behalf of the Township and in their official capacities, to (i) determine, and to certify or otherwise represent, when the preliminary official statement is "deemed final" (except for permitted omissions) by the Township as of its date or when the official statement is a final official statement for purposes

of the Rule, (ii) 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 Bonds, and (iii) complete and sign those official statements as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements.

Section 10. Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the Township agrees, 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 paragraph (d)(2) of the Rule. The Township further agrees, in particular, to provide or cause to be provided:

- (i) to the MSRB, at least annually, (A) Annual Information for each Township fiscal year ending hereafter, not later than the 270th day following the end of the fiscal year, and (B) when and if available, audited Township financial statements for each such fiscal year; and,
- (ii) to the MSRB, in a timely manner, notice of (A) any Specified Event if that Event is material, (B) the Township's failure to provide the Annual Information within the time specified above, and (C) any change in the accounting principles applied in the preparation of its annual financial statements, any change in its fiscal year, its failure to appropriate funds to meet costs to be incurred to perform the Continuing Disclosure Agreement, and of the termination of the Continuing Disclosure Agreement.

The Township further agrees that all documents provided to the MSRB shall be in the form and accompanied by identifying information as prescribed by the MSRB.

In order to further describe and specify certain terms of the Township's Continuing Disclosure Agreement made for purposes of the Rule, the Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Certificate, in the name and on behalf of the Township. The Continuing Disclosure Certificate currently on file with the Fiscal Officer is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Certificate.

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 in accordance with clause (ii) above or providing notice of the occurrence of any other events, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, 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 Township reserves the right to amend its Continuing Disclosure Agreement, and to obtain the waiver of noncompliance with any provision of the Continuing Disclosure Agreement, as may be necessary or appropriate to achieve its compliance with any applicable federal securities law or rule, to cure any ambiguity, inconsistency or formal defect or omission, and to address any change in circumstances arising from a change in legal requirements, change in law, or change in the identity, nature, or status of the Township, or type of business conducted by the Township. Any such amendment or waiver will not be effective unless the Continuing Disclosure Agreement (as amended or taking into account such waiver) would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any applicable amendments to or official interpretations of the Rule, as well as any change in circumstances, and until the Township shall have received: either (i) a written opinion of bond or other qualified independent special counsel selected by the Township that the amendment or waiver would not materially impair the interests of holders or beneficial owners of the Bonds or (ii) the written consent to the amendment or waiver of the holders of at least a majority of the principal amount of the Bonds then outstanding.

The Township's Continuing Disclosure Agreement shall be solely for the benefit of the holders and beneficial owners from time to time of the Bonds. The exclusive remedy for any breach of the Continuing Disclosure Agreement by the Township shall be limited, to the extent permitted by law, to a right of the holders and beneficial owners to institute and maintain, or to cause to be instituted and maintained, such proceedings as may be authorized at law or in equity to obtain the specific performance by the Township of its obligations under the Continuing Disclosure Agreement. Any individual holder or beneficial owner may institute and maintain, or cause to be instituted and maintained, such proceedings to require the Township to provide or cause to be provided a pertinent filing if such a filing is due and has not been made. Any such proceedings to require the Township to perform any other obligation under the Continuing Disclosure Agreement (including any proceedings that contest the sufficiency of any pertinent filing) shall be instituted and maintained only by a trustee appointed by the holders and beneficial owners of not less than 25% in principal amount of the Bonds then outstanding, or by holders and beneficial owners of not less than 10% in principal amount of the Bonds then outstanding in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as applicable (or any like or comparable successor provisions).

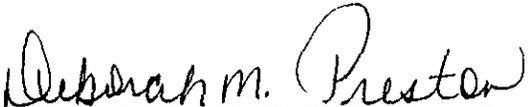
The performance by the Township of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

The Township's Continuing Disclosure Agreement shall remain in effect only for such period that the Bonds are outstanding in accordance with their

terms and the Township remains an obligated person with respect to the Bonds within the meaning of the Rule.

- Section 11. Ratings and Bond Insurance. If, in the judgment of the Administrator or the Fiscal Officer, the filing of an application for (i) a rating on the Bonds 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 and interest on the Bonds, is in the best interest of and financially advantageous to the Township, the Board of Trustees authorizes and directs the Fiscal Officer to prepare and submit those applications and to provide to each such agency or company the information required for the purpose. This Board of Trustees hereby authorizes and approves the expenditure of the amounts necessary to secure such insurance and authorizes and directs the Administrator and the Fiscal Officer to provide for the payment of those amounts from any funds lawfully available that are appropriated for that purpose. To the extent actions have already been taken in connection with obtaining a rating or a policy of insurance, such actions are hereby confirmed and ratified.
- Section 12. Delivery to County Auditor. The Fiscal Officer is hereby directed to forward a certified copy of this Resolution to the County Auditor.
- Section 13. Satisfaction of Conditions for Bond Issuance It is hereby determined that all acts, conditions and things necessary to be done precedent to and in and for the issuing of the Bonds in order to make them legal, valid and binding obligations of the Township have been performed in regular and due form as required by law; that the full faith and credit of the Township shall be and are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in issuing the Bonds.
- Section 14. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the passage of this Resolution were passed 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 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

SIGNATURE PAGE ONLY #50-2010


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 13, 2010
GSR:sld

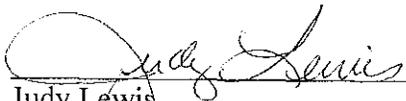
FISCAL OFFICER'S CERTIFICATE
Miami Township (Montgomery County), Ohio
April __, 2010

TO THE BOARD OF TRUSTEES OF MIAMI TOWNSHIP (MONTGOMERY COUNTY"),
OHIO

The undersigned, Fiscal Officer of Miami Township (Montgomery County), Ohio, as fiscal officer of Miami Township (Montgomery County), Ohio, as defined by Revised Code Section 133.01, hereby certifies as follows in connection with your proposed issue of not to exceed \$5,300,000 of bonds for the purpose of constructing, furnishing and equipping a public works maintenance facility that provides for the maintenance of township roadways, equipment, and properties, improving the site therefor, together with all appurtenances thereto:

1. That the estimated life of such construction is hereby certified to be at least five (5) years.

2. That the maximum maturity of said bonds, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least twenty (20) years, since by my estimate if and to the extent a portion of the proceeds of such bonds may be determined to be allocated to a class or classes of improvements having a maximum maturity of less than twenty years but in excess of five years, then the maximum maturity of such bonds would still be at least twenty years by reason of a sufficient portion of the proceeds of such bonds allocated to a class or classes having a maximum maturity in excess of twenty years; provided that if notes in anticipation of such bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of such bonds.



Judy Lewis
Fiscal Officer
Miami Township (Montgomery County), Ohio

RESOLUTION #51-2010

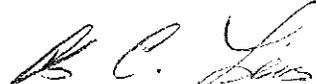
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

Whereas, Chris Ferguson has been a part-time firefighter/EMT since July 21, 2009;
and

Whereas, Chris Ferguson has decided to resign his position with the fire division to
pursue other employment opportunities; and

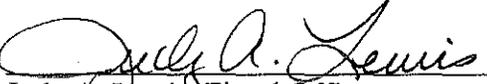
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from Chris Ferguson, and termination of his employment is
effective April 27, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 27, 2010
GSR:seb

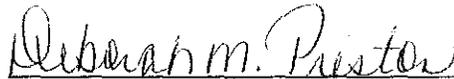
RESOLUTION #52-2010

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

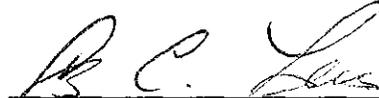
Whereas, Clay DeSantis has been a part-time firefighter/EMT since October 1, 2008; and

Whereas, Clay DeSantis has decided to resign his position with the fire division to devote more time to his family life; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Clay DeSantis, and termination of his employment is effective April 27, 2010.



Deborah M. Preston, Trustee President

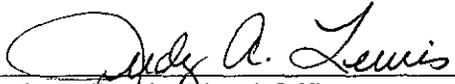


Charles C. Lewis, Trustee Vice-President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed April 27, 2010

GSR:seb

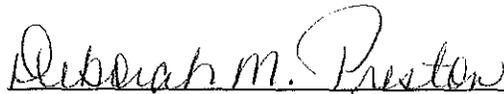
RESOLUTION #53-2010

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

Whereas, Matthew Sears has been a part-time firefighter/EMT since February 20, 2009; and

Whereas, Matthew Sears has decided to resign his position with the fire division to pursue a career in the United States Navy; and

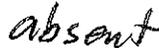
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Matthew Sears, and termination of his employment is effective April 27, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed April 27, 2010

GSR:seb

RESOLUTION #54-2010

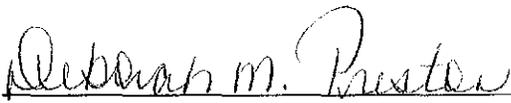
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Brent Daniels Grade S-1 \$11.96 / 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 April 27, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 27, 2009
GSR:seb

RESOLUTION #55-2010

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 2199 Burnside Dr., 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 April 27, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on April 27, 2010, 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:

2199 Burnside Dr.

Parcel ID #K47-212-9-14
Shirley M. Kelter
2199 Burnside Drive
Dayton, OH 45439

Steven C. Kelter
c/o Shirley M. Kelter
Administrator of the Estate of
Steven C. Kelter
2199 Burnside Drive
Dayton, OH 45439

Mortgage Company

Taylor, Bean & Whitaker
Mortgage Corporation
c/o Sparta Special Servicing
13820 Old St. Augustine Road,
Suite 113-518
Jacksonville, FL 32258

BAC Home Loans Servicing, LP
FKA Countrywide Home Loans
Servicing, LP
5401 North Beach Street, M/S-FTW-35
Fort Worth, TX 76137

SIGNATURE PAGE FOR RESOLUTION #55-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 27, 2010

GSR:mrm

RESOLUTION #56-2010

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 April 27, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on April 27, 2010, 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:

5410 South Union Road

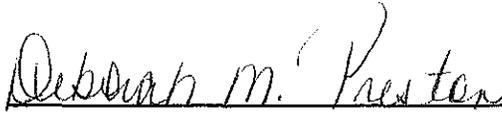
Parcel ID #K45-25-11-80
Thomas E. Thygerson (deceased)
5410 South Union Road
Miamisburg, OH 45342

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

SIGNATURE PAGE FOR RESOLUTION #56-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 27, 2010

GSR:mrm

RESOLUTION #57-2010

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 6032 Sixth 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 April 27, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on April 27, 2010, 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:

6032 Sixth Ave.

Parcel ID #K50-184-21-145
Carlo H. Wynne
6032 Sixth Avenue
Miamisburg, OH 45342

Kathleen J. Wynne
6032 Sixth Avenue
Miamisburg, OH 45342

Mortgage Company

Wells Fargo Bank, N.A. as Trustee
for the MLMI Trust Series 2005 FM1
c/o Wilshire Credit Corporation
14523 SW Millikan Way, Suite 200
P.O. Box 8517
Beaverton, OR 97005

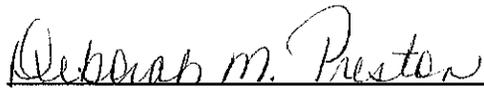
Mortgage Electronic Registration Systems, Inc
P.O. Box 7814
Ocala, FL 34478-7814

6032 Sixth Ave.

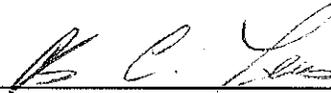
Carlo H. Wynne
7876 Jill Lane
Franklin, OH 45005-3818

Mortgage Company

Kathleen J. Wynne
7876 Jill Lane
Franklin, OH 45005-3818



Deborah M. Preston, Trustee President

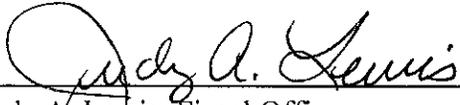


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 27, 2010

GSR:mrm

RESOLUTION #58-2010

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 April 27, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on April 27, 2010, 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:

6056 Eleventh Avenue

Parcel ID #K50-184-26-26

&K50-184-26-39

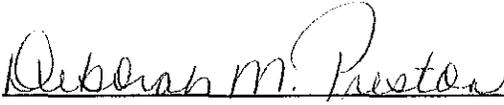
Countrywide Home Loans

7105 Corporate Drive

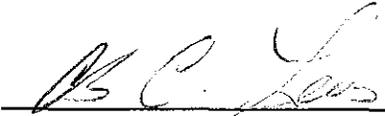
Plano, TX 75024

Mortgage Company

SIGNATURE PAGE FOR RESOLUTION #58-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 27, 2010

GSR:mrm

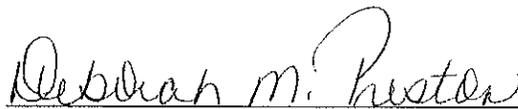
RESOLUTION #59-2010

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A LEASE AGREEMENT FOR A POSTAGE METER
MACHINE FOR THE POLICE DEPARTMENT**

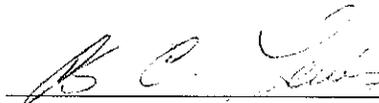
Whereas, the current lease agreement the Police Department has on a postage meter machine with Pitney Bowes will expire in August 2010 and there is a need to enter into a new lease agreement for a postage meter machine; and

Whereas, the Police Department has researched various options for leasing a new postage meter machine and the Police Chief has made a recommendation to enter into a forty-eight (48) month lease agreement for a new postage meter machine with improved technology and maintenance coverage at a cost of \$59.00 per month with Pitney Bowes; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a forty-eight (48) month lease agreement with Pitney Bowes for a postage meter machine for the Police Department at the rate of \$59.00 per month effective August 1, 2010.



Deborah M. Preston, Trustee President

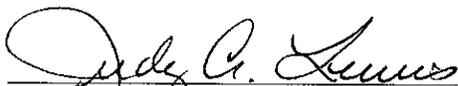


Charles C. Lewis, Trustee Vice-President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: April 27, 2010

GSR:mrm

RESOLUTION #60-2010

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 May 11, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 11, 2010, 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:

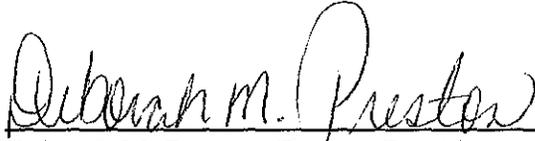
6047 Second Ave. (Vacant Lot)

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

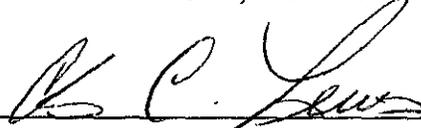
Mortgage Company

None Known

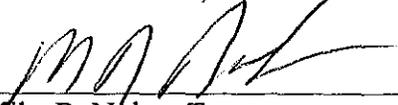
SIGNATURE PAGE FOR RESOLUTION #60-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2010

GSR:mrm

RESOLUTION #61-2010

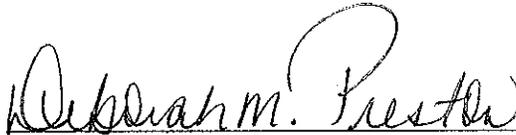
**RESOLUTION TO AUTHORIZE THE TOWNSHIP
ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR
BIDDING SERVICES ON THE CRAINS RUN ROAD RETAINING
WALL PROJECT**

Whereas, the Miami Township Public Works Department has a need to utilize professional bidding services to prepare bidding documents and associated administrative functions necessary for the Crains Run Road Retaining Wall project; and

Whereas, Jones Warner Consultants, Inc, has previously provided topographical survey and engineering services and is both experienced and qualified to provide bidding services relating to the Crains Run Road Retaining Wall project; and

Whereas, Jones Warner Consultants, Inc, has submitted a proposal "Exhibit A", that has been reviewed by staff, outlining the services that will be provided to Miami Township; and

Therefore be it Resolved, the Board of Trustees authorizes the Township Administrator to execute an agreement with Jones Warner Consultants, Inc, 8401 Claude Thomas Road, Suite 51, Franklin, Ohio, 45005, to provide bidding services for the Crains Run Road Retaining Wall Project at a cost of \$2,900.00.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 27, 2010

GSR:mrm

RESOLUTION #62-2010

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 May 11, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 11, 2010, 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

Susan J. Lewis
6060 Fifth Avenue
Miamisburg, OH 45342

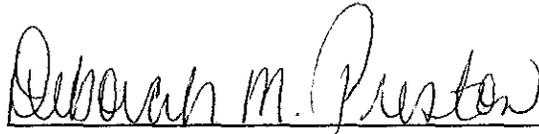
Joe E. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

Mortgage Company

Manufacturers and Traders Trust Company,
as Trustee, on behalf of the holders of the
Home Equity Loan Pass-Through
Certificates, Series 1999-2
c/o Select Portfolio Servicing, Inc.
3815 S. West Temple
Salt Lake City, UT 84115

Susan J. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

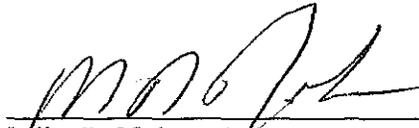
SIGNATURE PAGE FOR RESOLUTION #62-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2010

GH:mmm

RESOLUTION #63-2010

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 2004 Owendale Drive, 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 May 11, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 11, 2010, 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:

2004 Owendale Dr.
Parcel ID #K47-21203-60
Diane L. Wortham
2004 Owendale Drive
Dayton, OH 45439

Mortgage Company
Wells Fargo Bank, NA
1 Home Campus
Des Moines, IA 50328

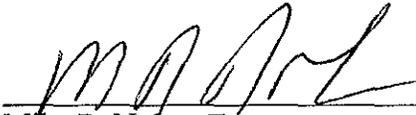
SIGNATURE PAGE FOR RESOLUTION #63-2010 ONLY



Deborah M. Preston, Trustee President

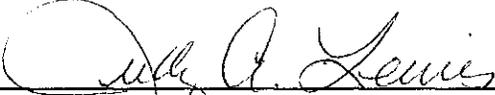


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed May 11, 2010

GH:mrm

RESOLUTION #64-2010

**RESOLUTION TO REMOVE SPECIFIC FIRE DEPARTMENT
EQUIPMENT FROM INVENTORY AND SELL**

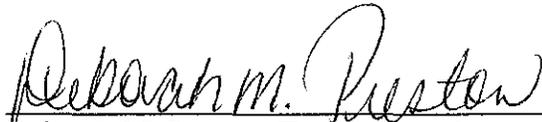
Whereas, the Ohio Revised Code, Section 505.10 establishes procedures by which the Township can sell, trade-in or dispose of Township owned articles;
and

Whereas, regulations are being followed in accordance with the Ohio Revised Code;
and

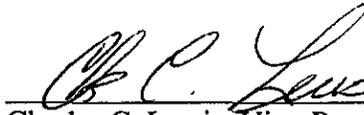
Whereas, the Miami Township Fire Division has two items of Structural firefighting personal protective clothing that is no longer needed; and

Whereas, the City of Riverside is in need of such gear to outfit one of its personnel;
and

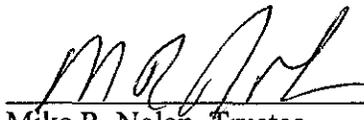
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10 that the Miami Township Board of Trustees declares the attached list of items to be removed from the Division's inventory and sold to the City of Riverside.



Deborah M. Preston, Trustee President

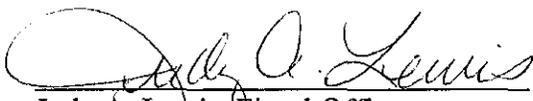


Charles C. Lewis, Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 11, 2010
GSR:mrm

RESOLUTION #65-2010

RESOLUTION TO AMEND THE BOUNDARIES & PROPOSED LAND USES OF THE AUSTIN INTERCHANGE LAND USE AND DEVELOPMENT PLAN

- Whereas,** the Miami Township Board of Trustees (“the Board”) met in a regular session on Tuesday, May 11, 2010; and
- Whereas,** the Board, through action on Resolution #40-2004, approved an intergovernmental agreement (“IGA”) with the City of Miamisburg, Miami Township, the City of Springboro, Washington Township, and the City of Centerville for the preparation of an Austin Interchange Land Use and Development Plan (the “Plan”); and
- Whereas,** the Board, through action on Resolution #212-2004, subsequently approved a formal land use plan for property in the immediate vicinity of the Austin Interchange; and
- Whereas,** the Montgomery County Transportation Improvement District (“TID”) also adopted the land use portion of the plan; and
- Whereas,** the City of Miamisburg, Miami Township, the City of Springboro, and the TID created the Austin Interchange Land Use Advisory Committee (LUAC) to assist the three local governments involved in the Plan with the implementation of significant land use decisions; and
- Whereas,** the LUAC has recognized the need to establish formal boundaries of the Plan; and
- Whereas,** the LUAC is recommending the adoption of formal boundaries that incorporate the committee’s original vision and other subsequent modifications recommended by LUAC; and
- Whereas,** a map illustrating LUAC’s recommendations and replacing the Plan’s Land Use Map (Figure 7) is attached to this resolution; and
- Whereas,** the TID has adopted the LUAC recommendation through action on Resolution #2010-28; and
- Whereas,** the Planning Director has recommended that the Board approve these modifications; and

Therefore Be It Resolved, by the Miami Township Board of Trustees that the boundaries of the Austin Land Use & Development Plan set forth in the attached map be and are hereby adopted.

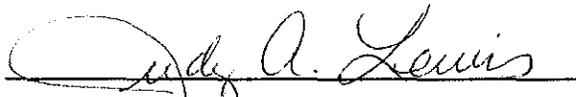
SIGNATURE PAGE FOR RESOLUTION #65-2010 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

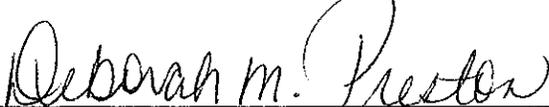

Judy A. Lewis, Fiscal Officer
Passed: May 11, 2010
GSR:mmm

RESOLUTION #66-2010

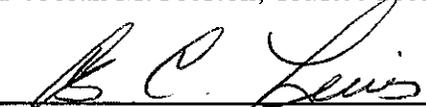
**RESOLUTION TO HIRE COLE + RUSSELL ARCHITECTS FOR THE
DESIGN AND ENGINEERING FOR THE CONSTRUCTION OF A FIRE
STATION**

- Whereas,** the Miami Township Board of Trustees has determined a need to construct a fire station; and
- Whereas,** Miami Township has properly solicited a "Request for Qualifications" (RFQ) from qualified architectural firms; and
- Whereas,** Miami Township has thoroughly reviewed the RFQ's that were submitted, including conducting interviews with five potential architectural firms; and
- Whereas,** Cole + Russell Architects, Inc. was determined to be the best suited firm to develop design plans for the proposed fire station; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all the necessary documents to enter into a contract with Cole + Russell Architects, Inc., for design and engineering services for the construction of a fire station, at a cost not to exceed \$300,000.00.



Deborah M. Preston, Trustee President



Charles C. Lewis, Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 11, 2010
GSR:seb

RESOLUTION #67-2010

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 2460 Windsor Village Dr., 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 8, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 8, 2010, 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

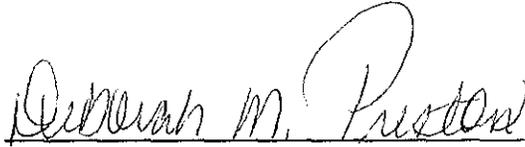
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2460 Windsor Village Dr.
Parcel ID #K45 28308 0018
Robert E. Still Jr.
2460 Windsor Village Dr.
Miamisburg OH 45342

Mortgage Company
Mortgage Lenders Network USA, Inc
213 Court Street
Middletown, CT 06457

Mortgage Electronic Registration
Systems, Inc.
P.O. Box 2026
Flint, MI 48501-2026

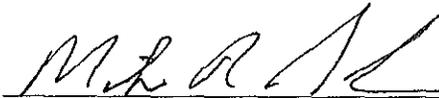
SIGNATURE PAGE FOR RESOLUTION #67-2010 ONLY



Deborah M. Preston, Trustee President

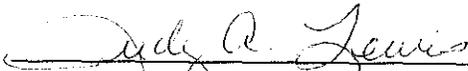


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 8, 2010

GSR:seb

RESOLUTION #68-2010

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 2431 Chaffman Court, 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 May 27, 2010; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on May 27, 2010, beginning at 8:30 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

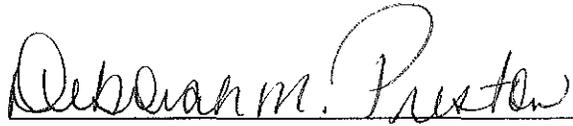
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2431 Chaffman Ct.
Parcel ID #K45-25804-0011
William J. Campbell
2431 Chaffman Ct.
Miamisburg, Oh 45342

Tara L. Campbell aka Tara L. Prosser
2431 Chaffman Ct
Miamisburg, OH 45342

Mortgage Company
Chase Home Finance, LLC
successor by merger to Chase
Manhattan Mortgage Corporation
3415 Vision Drive
Columbus, OH 43219-8500

SIGNATURE PAGE FOR RESOLUTION#68-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 27, 2010

GSR:mrm

RESOLUTION #69-2010

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 6036 Sixth 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 May 27, 2010; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on May 27, 2010, beginning at 8:30 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:

6036 Sixth Ave.

Parcel ID #K50-18421-0147, 148

Everbank Mortgage Company

8100 Nations Way

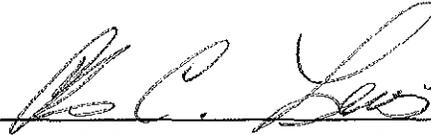
Jacksonville, FL 32256

Mortgage Company

SIGNATURE PAGE FOR RESOLUTION #69-2010 ONLY



Deborah M. Preston, Trustee President

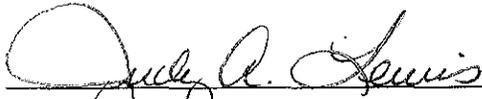


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 27, 2010

GSR:mrm

RESOLUTION #70-2010

**RESOLUTION TO HIRE COLE+RUSSELL ARCHITECTS
FOR DESIGN, ENGINEERING AND BIDDING SERVICES RELATED TO THE
CONSTRUCTION OF A NEW PUBLIC WORKS FACILITY**

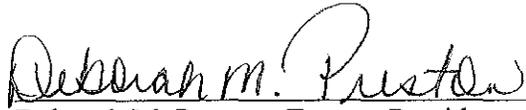
Whereas, the Miami Township Board of Trustees has determined the need to construct a new Public Works Facility; and

Whereas, Miami Township has properly solicited "Request For Qualifications" (RFQ) proposals to develop a Facility Master Plan, Architectural Design, Project Management and other related services, from qualified architectural firms; and

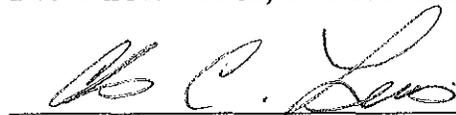
Whereas, Cole+Russell Architects, Inc. was determined to be the most qualified firm to develop a new Public Works Facility Master Plan, Architectural Design, Project Management, and other related services and hired by the Board of Trustees through Resolution #22-2008; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to enter into contract, with Cole+Russell Architects, Inc., for the design, engineering, bidding, and other related services including reimbursable expenses relating to the new Public Works Facility, at an estimated cost of \$337,000.00; and

Therefore Be It Further Resolved, the additional services provided by Cole+Russell Architects, Inc., related to the Public Works Facility Project, shall be negotiated in good faith and presented to the Board of Trustees for approval in accordance with Ohio Revised Code.



Deborah M. Preston, Trustee President

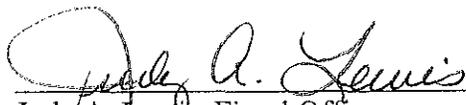


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 27, 2010
GSR:mrm

RESOLUTION #71-2010

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 8, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 8, 2010, 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:

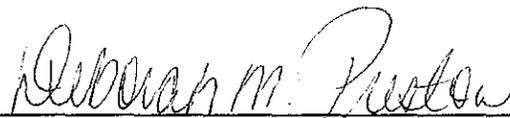
2408 Brahms Blvd.

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

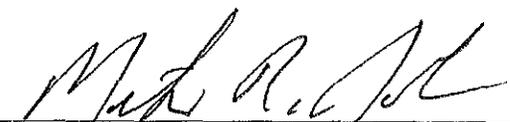
SIGNATURE PAGE FOR RESOLUTION #71-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 8, 2010

GSR:seb

RESOLUTION #72-2010

**RESOLUTION AUTHORIZING THE CONTINUANCE OF A
TEMPORARY PART-TIME ADMINISTRATIVE ASSISTANT I FOR THE
DIVISION OF FIRE/EMS**

Whereas, the Board of Trustees passed Resolution 08-2009 on January 27, 2009; and upon review it was noted that the original resolution did not have the required termination date and required an amendment to the resolution; and

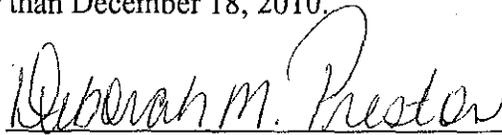
Whereas, the Board of the Trustees passed Resolution on October 27, 2009 amending the earlier resolution an applying a termination date to it; and

Whereas, it has been determined there is still a need for a temporary part-time Fire Administrative Assistant I within the Division of Fire and EMS; and

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

Whereas, an offer to continue temporary employment has been made to and accepted by Rosie Stevens; and

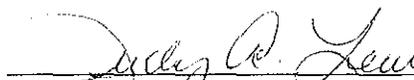
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Rosie Stevens, at an hourly rate of \$13.80, Pay Grade PT7, effective June 8, 2010 and terminating no later than December 18, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: June 8, 2010
GSR:mrm

RESOLUTION #73-2010

RESOLUTION AUTHORIZING TOWNSHIP ADMINISTRATOR GREG HANAHAN TO TAKE ACTIONS RELATED TO THE ACQUISITION AND SALE OF REAL ESTATE

Whereas, the Miami Township Trustees wish to acquire property for the purpose of erecting a fire station and public works facility on Wood Road in Miami Township; and

Whereas, the Miamisburg City Schools is interested in purchasing property owned by Miami Township at 10727 Wood Road, Miamisburg, OH 45342; and

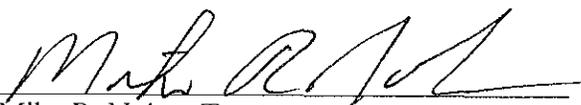
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Township Administrator Greg Hanahan to take preliminary actions regarding the acquisition and sale of the above mentioned properties including ordering appraisals, title searches, and environmental testing.



Deborah M. Preston, Trustee President

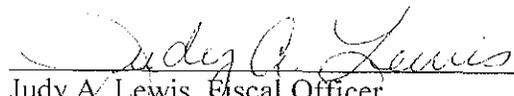


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 8, 2010

GAH:sld

RESOLUTION #74-2010

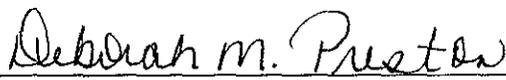
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Bryan Ramage Grade S-1 \$11.96 / 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 June 22, 2010.



Deborah M. Preston, Trustee President

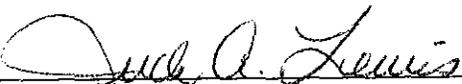


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GSR:mrm

RESOLUTION #75-2010

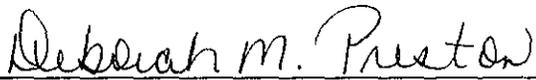
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

William Barrett Grade S-1 \$11.96 / per hour

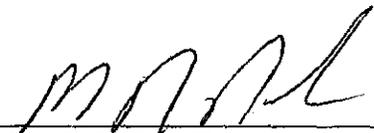
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective June 22, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GSR:mmm

RESOLUTION #76-2010

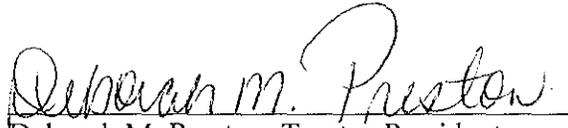
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Mark Carter Grade S-1 \$11.96 / per hour

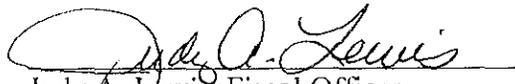
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective July 13, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GAH:mrm

RESOLUTION #77-2010

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 9228 Sawgrass Dr., 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 22, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on June 22, 2010, 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:

9228 Sawgrass Dr.

Parcel ID #K45 26625 0009
Marvin L. Nooks
9228 Sawgrass Dr.
Miamisburg, OH 45342

Marvin L. Nooks
850 Missouri Dr.
Xenia, OH 45385

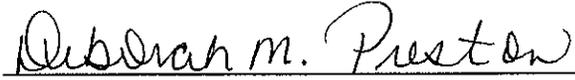
Mortgage Company

CitiMortgage Inc.
1000 Technology Place
O'Fallon, MO 63368-2239

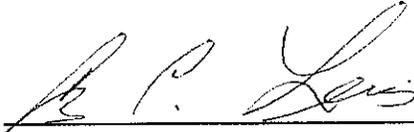
CitiMortgage Inc.
4050 Regent Blvd Mailstop N2A-222
Irving, TX 75063

Beneficial Ohio Inc.
2745 Miamisburg Centerville Rd
Dayton, OH 45459

SIGNATURE PAGE FOR RESOLUTION #77-2010 ONLY



Deborah M. Preston, Trustee President

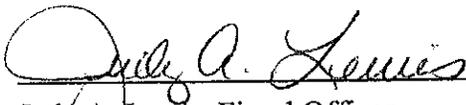


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 22, 2010

GSR:mrm

RESOLUTION #78-2010

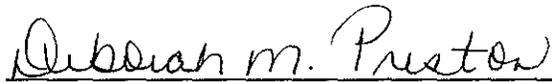
RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN UNDER ZONING CASE #171-85, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 22, 2010; and

Whereas, Zoning Case #171-85, filed by Southland 75, LLC / Lofino Properties, LLC 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

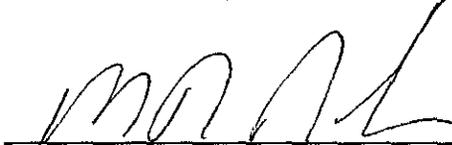
Therefore Be It Resolved, the Miami Township Board of Trustees _____ the Major Modification to the Final Development Plan under Zoning Case #171-85 and _____ the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

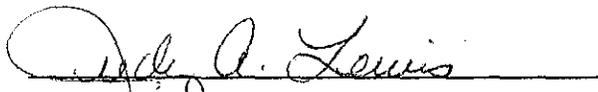


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

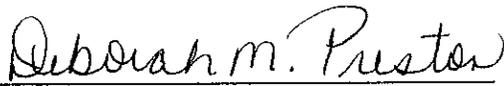
Passed: June 22, 2010

GSR:seb

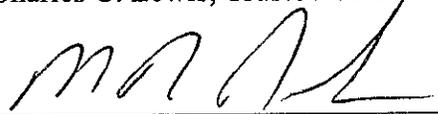
RESOLUTION #79-2010

**RESOLUTION APPROVING THE PURCHASE OF ROAD
DE-ICING SALT FOR THE 2010-2011 WINTER SEASON**

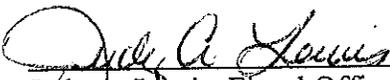
- Whereas,** there is a need to purchase de-icing salt for the winter of 2010-2011; and
- Whereas,** requests for bids have been made through the Southwest Ohio Purchasers for Government (SWOP4G); and
- Whereas,** Miami Township has joined this bid for 3,500 tons of de-icing salt; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees accepts the lowest and best bid from Cargill Inc.-Deicing Technology at \$62.05 per ton dumped at the Miami Township Public Works facility, 8580 Miamisburg-Springboro Pike, Miamisburg, Ohio 45342.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GSR:seb

RESOLUTION #80-2010

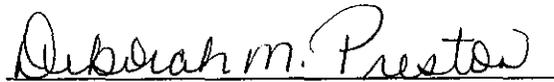
**RESOLUTION TO COMMIT THE TOWNSHIP TO THE
MONTGOMERY COUNTY ENGINEER'S 404 ASPHALT AND
ROAD STRIPING PROGRAM**

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

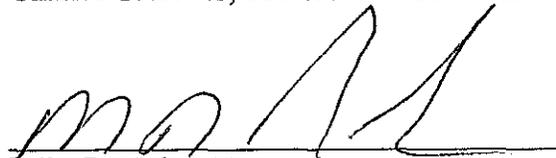
Whereas, Miami Township is to receive \$8,750.00 of Township aid this year from the Montgomery County Engineer's Office; and

Whereas, the Public Works Director has made the request that this money be spent on Miami Township's 2010 Asphalt and Road Striping Program, at a cost estimated at \$225,000.00; and

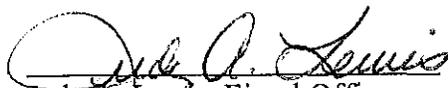
Therefore Be It Resolved, the \$8,750.00 in County aid is to be used to pay part of this cost, leaving an estimated cost of \$216,250.00, for Miami Township to pay.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GSR:seb

RESOLUTION #81-2010

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF MEMORANDUM OF UNDERSTANDING RELATING TO THE JOINT DEVELOPMENT OF IMPROVEMENTS TO AUSTIN PIKE BETWEEN MIAMI TOWNSHIP, OHIO AND THE MONTGOMERY COUNTY ENGINEER'S OFFICE.

Whereas, Miami Township (the "Township") and the Montgomery County Engineer's Office ("MCEO") (together with the Township, the "Parties") have agreed to jointly develop improvements to Austin Pike from SR 741 through Washington Church Road (the "Project"); and

Whereas, the Parties have agreed that MCEO will be the lead agency for the Project and will contract directly for all goods and services required to deliver the Project, and that the Township will be responsible for reimbursing MCEO for a portion of the costs of the Project; and

Whereas, the Township and MCEO have prepared a Memorandum of Understanding (the "MOU") describing the terms of the proposed agreement, with such agreement to be subject to the approval of the Parties.

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

Section 1. *Authorization of MOU.* This Board hereby finds and determines that it is in the best interest of the Township for the Township to execute and deliver the MOU. The Township Administrator and/or any two or more members of this Board are hereby authorized and directed to execute the MOU in substantially the form now on file with the Fiscal Officer with such changes as shall be, in the judgment of those officers executing the MOU, not inconsistent with this Resolution and not substantially adverse to the Township, and the character of those changes and amendments as not being adverse to the Township, shall be evidenced by execution of the MOU by such officer or officers.

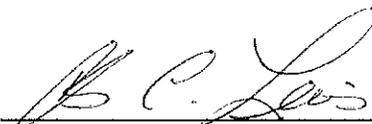
Section 2. *Further Authorizations.* This Board authorizes and directs each of the Trustees, the Administrator, the Fiscal Officer and all other appropriate officers and employees of the Township, alone or in conjunction with any other officer or employee of the Township to take such actions as may be necessary or appropriate to provide for other conditions subsequent to the signing of the MOU by the Township. This Board ratifies approves and adopts all actions taken by such officers and employees in connection with the MOU.

Section 3. 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 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.

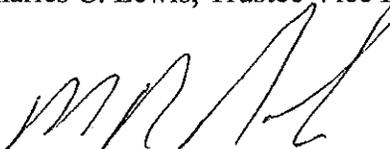
Section 4. Effective Date. This Resolution shall take effect at the earliest opportunity allowed by law.



Deborah M. Preston, Trustee President

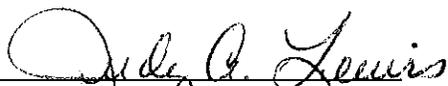


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 22, 2010

GSR:seb

RESOLUTION #82-2010

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH 741 DEVELOPERS, LTD.

- Whereas,** Miami Township, Ohio (the "Township") desires to develop certain areas within the Township, including, but not limited to, those areas around or related to the Austin Road Interchange area, all to encourage public and private development in the Township and the region; and
- Whereas,** 741 Developers, Ltd.. (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 desires to cause the construction of public infrastructure improvements ("Public Improvements") benefiting the Property; and
- Whereas,** this Board, by Resolution No 223-2005, adopted December 13, 2005 (the "TIF Resolution"), pursuant to and in accordance with Sections 5709.73, and 5709.74 of the Ohio Revised Code (collectively, the "Act"), determined to exempt from taxation 100% of the increase in true value of certain property therein, including but not limited to the Property identified on Exhibit A attached hereto (the "Property") for a period of 30 years commencing on the date set forth therein and ending 30 years after such date in accordance with the Act; and
- 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; and

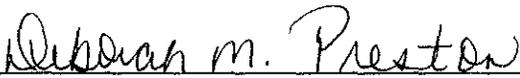
Therefore Be It Resolved the Miami Township Board of Trustees authorizes the following:

- 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, 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.

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.

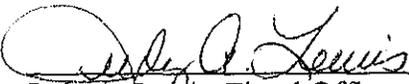
Section 4. Effective Date. This Resolution shall take effect at the earliest opportunity allowed by law.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

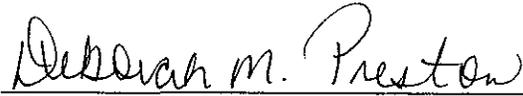

Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GSR:seb

RESOLUTION #83-2010

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 07/01/2010 through 06/30/2011; 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 administrator to the IRS-regulated financial accounts that may include, but are not limited to Health Savings Accounts, Flex Spending Accounts, and Health 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 07/01/2010 through 06/30/2011; 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 for the plan year.

SIGNATURE PAGE FOR RESOLUTION #83-2010 ONLY



Deborah M. Preston, Trustee President

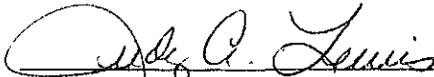


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 22, 2010

GSR:lrdg

RESOLUTION #84-2010

RESOLUTION TO FUND THE HEALTH SAVINGS ACCOUNT (HSA)

- Whereas,** the Miami Township Board of Trustees has, for the plan year of 07/01/2010 through 06/30/2011, agreed to fund HSA contributions for eligible employees and elected officials who elect a high deductible health plan; and
- Whereas,** The Employer HSA Contribution funding is in concurrence with Resolutions #83-2010, 85-2010, and the following; 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 \$1,350 for the Employee Only Plan Level and at \$2,700 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 Human Resources Director will develop a pro-rated Employer HSA Contribution schedule to accommodate persons hired later in the plan year and for changes in Plan Levels; 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
- Whereas,** the Employer HSA Contribution will be directly tied to an employee's, and respective eligible members covered under the employee's plan, participation in a Wellness Program; 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 #84-2010



Deborah M. Preston, Trustee President

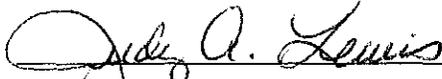


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 22, 2010

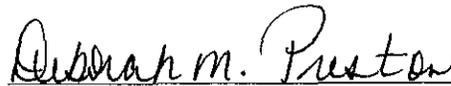
GAH:lrđg

RESOLUTION #85-2010

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 2010/2011 plan year via Resolution #83-2010; 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 2010/2011 plan year.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 22, 2010
GAH:lrldg

RESOLUTION #86-2010

RESOLUTION TO AUTHORIZE HEALTH INSURANCE WITH ANTHEM FOR THE 2010/2011 CONTRACT YEAR

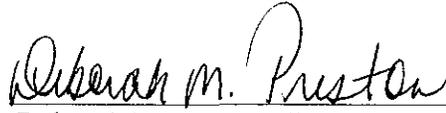
- Whereas,** Miami Township participates in medical and prescription benefits for the employees and qualifying individuals; and
- Whereas,** the Board of Trustees, has given consideration to all submitted recommendations, suggestions and criticisms received from the Township Administrator, the Department Heads, and non-union and union employees; and
- Whereas,** the Board of Trustees, has given consideration to the insurance plan options presented through McGohan Brabender, the Township's insurance broker; and
- Whereas,** the only carrier that provided the Township with reasonable renewal rates was Anthem and, therefore, the Township will remain with Anthem as its insurance carrier; and
- Whereas,** the Board of Trustees wishes to maintain non-union employee insurance premium contributions at 10%, especially because the Township was unable to provide a cost of living increase to its employees at the beginning of 2010; and
- Whereas,** the Board of Trustees elects to maintain a wellness plan for the contract year that will be provided to both non-union and union employees; and
- Whereas,** Anthem's Lumenos HSA 4.0 Option 2 with Rx-Z (HDHP) (Option #1), an approximate 9.5% increase from current plan, monthly premiums are as follows:

Employee Only:	\$373.26
Employee + Spouse:	\$820.45
Employee + Children:	\$630.08
Family:	\$1,152.29

- Whereas,** a renewal date of July 1, 2010, shall be used; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Greg Hanahan, Township Administrator, or his designee, to enter into a contract with Anthem to institute the above insurance plan for the 7/1/2010 through 6/30/2011 plan year

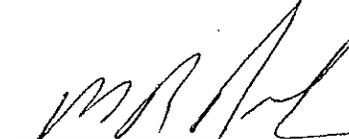
SIGNATURE PAGE ONLY FOR RESOLUTION #86-2010



Deborah M. Preston, Trustee President

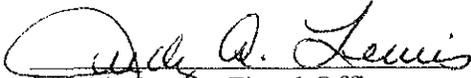


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed June 22, 2010

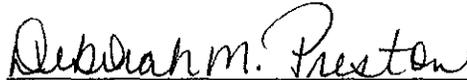
GAH/lrdg

RESOLUTION #87-2010

**RESOLUTION TO CONTRACT FOR
SERVICES WITH MCGOHAN BRABENDER WELLVIBE**

- Whereas,** the Miami Township Board of Trustees has elected to provide a wellness program for its eligible employees; 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 07/01/2010 through 06/30/2011; 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 the use of McGohan Brabender's WellVibe software program to assist in tracking the wellness program;
- Whereas,** the cost is \$18.00 per eligible participant; 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 WellVibe program.



Deborah M. Preston, Trustee President

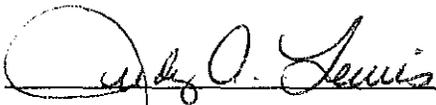


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 22, 2010

GSR:lrldg

RESOLUTION #88-2010

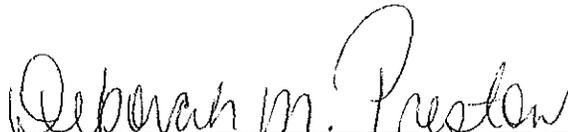
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Keith Lainhart Grade S-1 \$11.96 / per hour

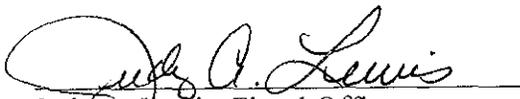
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective July 13, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GAH.:mrm

RESOLUTION #89-2010

**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 as a part-time employee:

David Moore Grade S-1 \$11.96 / 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 13, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 13, 2010

GAH:mrm

RESOLUTION #90-2010

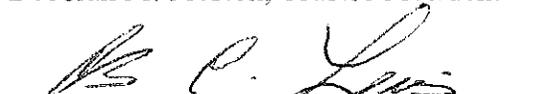
**RESOLUTION TO REAPPOINT A CITIZEN REPRESENTATIVE
TO THE HILLGROVE UNION CEMETERY BOARD OF TRUSTEES**

- 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 citizen representative to the Hillgrove Union Cemetery Board of Trustees; and
- Whereas,** the Miami Township Board of Trustees and the City Council for the City of Miamisburg each agree to reappoint Glenn Alexander as the citizen representative for the Hillgrove Union Cemetery Board of Trustees; and
- Whereas,** Glenn Alexander has expressed a desire to continue to serve on the Hillgrove Union Cemetery Board of Trustees; and

Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Glenn Alexander to serve on the Hillgrove Union Cemetery Board of Trustees for a term of three (3) years and seven (7) months ending on December 31, 2013.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed July 13, 2010
GAH:sld

RESOLUTION #91-2010

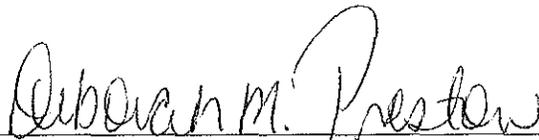
**RESOLUTION TO DECLARE CERTAIN TOWNSHIP EQUIPMENT TO
BE DISPOSED OF AS SURPLUS PROPERTY**

Whereas, the Ohio Revised Code Section 505.10 establishes procedures by which the Township can sell, trade-in, or dispose of Township-owned articles; and

Whereas, regulations are being followed in accordance with the Ohio Revised Code; and

Whereas, Miami Township has articles or equipment which are no longer needed, and/or are broken and/or worn out beyond 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 attached list of Township-owned property to be disposed of at auction, or by other means in accordance to the Ohio Revised Code, and be removed from the Township's inventory.



Deborah M. Preston, Trustee President

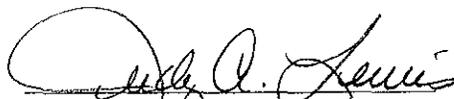


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GAH:seb

RESOLUTION #92-2010

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 13, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 13, 2010, 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

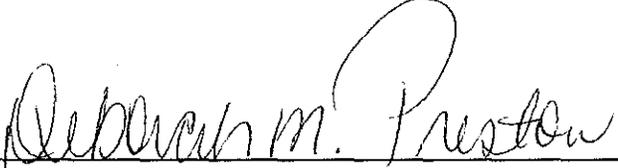
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

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

Mortgage Company
Mortgage Electronic Registration Systems Inc
P.O. Box 2026
Flint, MI 48501-2026

MERS Inc as nominee for
Countrywide Home Loans, Inc
7105 Corporate Drive
Mail Stop PTX-C-35
Plano, TX 75024

SIGNATURE PAGE FOR RESOLUTION #92-2010 ONLY



Deborah M. Preston, Trustee President

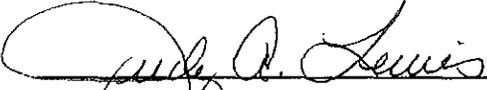


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GH:seb

RESOLUTION #93-2010

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 5736 South Union Road, 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 13, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 13, 2010, 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

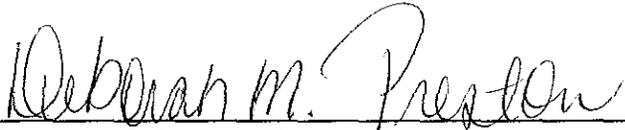
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5736 South Union Road
Parcel ID #K45-02511-0028
David T. Hiney
5736 South Union Road
Miamisburg, OH 45342

Mortgage Company
Wells Fargo Bank, N. A.
3476 Stateview Boulevard
Fort Mill, SC 29715
Mac# 7801-013

Tamera Hiney
1257 Sanlor Ave. Apt 5
West Milton, OH 45383

SIGNATURE PAGE FOR RESOLUTION #93-2010 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GH:seb

RESOLUTION #94-2010

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 8970 Kingsridge Dr., Dayton, Ohio, 45458 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 13, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 13, 2010, 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

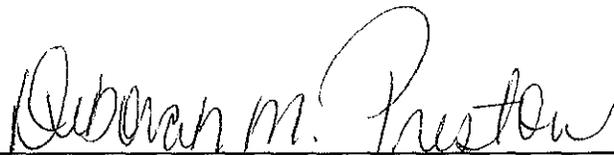
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

8970 Kingsridge Drive
Parcel ID #K45 02604 0138
Dell Craaybeek
8970 Kingsridge Dr.
Dayton, OH 45458

Mortgage Company
JP Morgan Chase Ban, N.A.
fka Bank One, N.A.
1111 Polaris Parkway
Columbus, OH 43240

Dell Craaybeek
6822 Joseph Road
Franklin, OH 45004

SIGNATURE PAGE FOR RESOLUTION #94-2010 ONLY



Deborah M. Preston, Trustee President

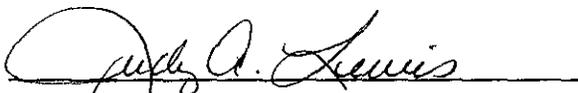


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 13, 2010

GH:seb

RESOLUTION #95-2010

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 6223 Pine Cone Dr., 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 July 13, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 13, 2010, 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

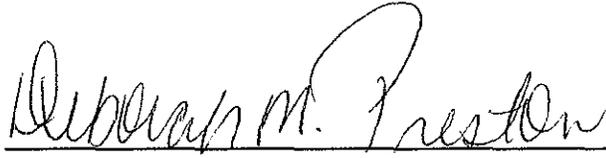
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of 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:

6223 Pine Cone Drive
Parcel ID #K46-21102-0009
Federal Home Loan Mortgage Corp.
8200 Jones Branch Drive
McLean VA 22102

Mortgage Company
Fifth Third Mortgage Company
c/o Fifth Third Bank
Madisonville Operations Center
Maildrop 1M0C20
38 Fountain Square Plaza
Cincinnati, OH 45202

SIGNATURE PAGE FOR RESOLUTION #95-2010 ONLY



Deborah M. Preston, Trustee President

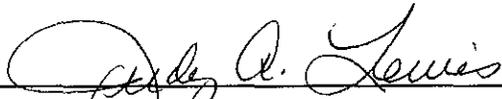


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 13, 2010

GH:seb

RESOLUTION #96-2010

**RESOLUTION TO ENTER INTO A CONTRACT FOR ALARM
MONITORING SERVICES**

Whereas, the Miami Township Board of Trustees desires to enter into an agreement for services to have its fire and security alarms monitored; and

Whereas, the Montgomery County Prosecutor has approved the Miles Ahead Technology agreement as to form; and

Whereas, the Human Resources Director is recommending that Miles Ahead Technology provide the services at an annual cost of \$360.00; and

Whereas, the contract will begin 7/15/2010 and terminate 7/16/2011; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, or his designee, to execute the necessary agreement to secure the alarm monitoring services from Miles Ahead Technology.



Deborah M. Preston, Trustee President

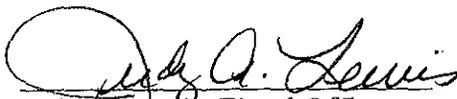


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GAH:mrm

RESOLUTION #97-2010

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A RENEWABLE-LEASE PURCHASE AGREEMENT FOR THE PURPOSE OF ADVANCE REFUNDING OUTSTANDING CERTIFICATES OF PARTICIPATION ORIGINALLY ISSUED TO PAY THE COST OF ACQUIRING A PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE

- Whereas,** a board of township trustees is authorized under various provisions of the Ohio Revised Code to acquire, purchase, construct, rent, lease, enlarge, improve, equip, maintain, operate, build, repair or furnish sites, buildings, equipment or other personal property for an authorized public purpose; and
- Whereas,** in order to finance or refinance the acquisition, improvement, maintaining, operating or furnishing of sites for an authorized public purpose, a board of township trustees is authorized pursuant to Section 505.267 of the Ohio Revised Code to enter into a lease-purchase agreement, and in connection therewith may permit the issuance of certificates of participation or other evidences of fractionalized interests in the lease-purchase agreement to acquire, purchase, construct, rent, lease, improve, maintain, operate, or furnish sites for an authorized public purpose, or to take any other action of similar import with respect to a site for an authorized public purpose; and
- Whereas,** the Board of Township Trustees (the "Governing Body") of Miami Township, Ohio (the "Township"), has determined that it is in the best interests of the Township to refund its \$2,020,000 Certificate of Participation, Series 2009A, dated October 22, 2009 (the "2009A Certificates"), the proceeds of which were used by the Township to acquire the real property described in Exhibit A attached hereto (the "Project Site"), which was acquired by the Township for the purpose of creating and maintain a storm water detention area necessary to enable the efficient and safe operation and maintenance of certain highway and transportation infrastructure in the region (the "Original Project"), and in order to implement the advance refunding of the 2009A Certificates: (i) to enter into (a) a lease-purchase agreement (the "Lease") pursuant to Section 505.267 of the Ohio Revised Code with Ohio Township Association Leasing, LLC, a limited liability company duly organized and existing under the laws of the State of Ohio ("OTA Leasing"), under which the Township will lease from OTA Leasing the Project Site with an option to purchase the Project Site at the end of the final term of the Lease and (b) a Ground Lease Agreement (the "Ground Lease Agreement") under which the Township will lease to OTA Leasing the Project Site for a term not exceeding five years beyond the final renewal term of the Lease, and (ii) to

authorize the issuance of certificates of participation evidencing fractionalized interests in the payment obligations of the Township under the Lease; and

Whereas, OTA Leasing will absolutely assign all of its right, title and interests under the Ground Lease and under the Lease to the trustee (the "Trustee") under the Master Indenture dated as of February 1, 2004, between the Trustee and OTA Leasing (the "Master Indenture"), as supplemented by a Supplemental Trust Indenture and Assignment (the "Supplemental Indenture" and collectively with the Master Indenture, the "Indenture"), providing for the execution and delivery by the Trustee of not to exceed \$2,350,000 aggregate principal amount of Certificates of Participation (the "Certificates") in the payments to be made by the Township under the Lease, which Certificates will constitute "fractionalized interests in public obligations" as defined in Chapter 133 of the Ohio Revised Code, and further providing for the payment by the Trustee, from the proceeds of the sale of the Certificates, of costs of the Project, capitalized interest, if necessary, and costs of issuance of the Certificates, all as required under the Indenture; and

Whereas, Ross, Sinclair & Associates, LLC, an Ohio limited liability company (the "Original Purchaser", will purchase the Certificates from the Trustee at the purchase price and upon the terms set forth in a Master Certificate Purchase Agreement (the "Purchase Agreement") among the Original Purchaser, OTAL Leasing, the Township and the Trustee; and

Whereas, in connection with the public offering of the Certificates by the Original Purchaser, certain information relating to the Project and the Township will be provided to the Original Purchaser and may be included in a Preliminary Offering Circular (the "Preliminary Offering Circular") and a final Offering Circular (the "Offering Circular") relating to the public offering of the Certificates; and

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

Section 1. *Findings and Determinations of Governing Body.* This Governing Body hereby finds and determines that (i) the Project Site will be public property to be used for public purposes, (ii) the Project Site is essential to the proper, efficient and economic operation of the Township, (iii) in order to implement the refunding of the 2009A Certificates, it is necessary and desirable and in the best interests of the Township to enter into the Ground Lease, the Lease, the Supplemental Indenture and other related documents and certificates for the purposes set forth in the Lease.

Section 2. *Authorization to Execute and Approval of Documents.* The Purchase Agreement, the Ground Lease, the Lease and the Supplemental Indenture in substantially the forms on file in the office of the Fiscal Officer are hereby approved and the Governing Body hereby authorizes the execution and delivery of the Ground Lease, the Lease and the Supplemental Indenture, along with all other related agreements, documents and certificates (the "Collateral Documents"), by the Governing Body with any additional changes therein as are not adverse to the

Township; and the fact that any such changes are not adverse to the Township shall be evidenced by execution of the Purchase Agreement, the Ground Lease, the Lease, the Supplemental Indenture and the Collateral Documents by the Governing Body.

The Purchase Agreement, the Ground Lease, the Lease, the Supplemental Indenture and the Collateral Documents shall be executed in the same manner as it provided in Section 133.27 of the Ohio Revised Code for the execution of Chapter 133 Securities (as defined in such Section) on behalf of a township.

Subject to and in consideration of the execution and delivery of the Purchase Agreement, the Ground Lease, the Lease, the Supplemental Indenture and the Collateral Documents on behalf of the Township, the costs of the Project, including but not limited to the reimbursement of moneys advanced by the Township in connection with the Project in accordance with and pursuant to Section 133.15 of the Ohio Revised Code, shall be paid by the Trustee from the proceeds of the Certificates.

Section 3. *Terms of Lease.* The Fiscal Officer is hereby authorized and directed to negotiate and provide for the terms of the Base Rentals and any applicable Additional Rentals, as defined in the Lease, including but not limited to, the aggregate principal component thereof, which for the initial term and all renewal terms in the aggregate shall not exceed \$2,350,000 and the interest components thereof which interest components shall be fixed rate interest components and which fixed rate interest components shall not exceed ten percent (10%) per annum.

The Governing Body, on behalf of the Township, further acknowledges that the debt service schedule for the Certificates shall include interest components on the principal components thereof which interest components shall be fixed rate interest components, the weighted average of which fixed rate interest components shall not exceed that interest rate per annum that is determined by the Original Purchaser to be as low as may reasonably be expected to be obtained under then current market conditions in light of the character of the Certificates (which determination shall be confirmed by the Fiscal Officer by such officer's execution of the Lease). The Base Rentals to be payable under and in accordance with the Lease during the initial term of the Lease and any Renewal Terms, as defined in the Lease, shall be an amount sufficient to provide to holder of a Certificate the amount evidenced under such Certificate as the principal component and interest component that are due and payable during that initial term or each Renewal Term. Such Base Rentals, and the principal and interest components thereof, shall be set forth in an exhibit to the Lease. The Certificates shall be prepayable prior to their maturity as determined by the Fiscal Officer, in consultation with the financial advisor to the Township are in the best interest of the Township.

Section 4. *Disclosure Document.* This Governing Body hereby authorizes the preparation of the Preliminary Offering Circular and Offering Circular, if required by the

Original Purchaser or pursuant to Securities and Exchange Commission Rule 15c2-12 ("Rule 15c2-12") as they relate to facts and representations concerning the Township and the Project, and the Governing Body authorizes the use and distribution by the Original Purchaser of the Preliminary Offering Circular and the use and distribution by the Original Purchaser of the Offering Circular, each in the manner contemplated by the Purchase Agreement.

Section 5. *Certifications by Political Subdivision Officials.* The Fiscal Officer and the Governing Body, or any one of them, is hereby authorized and directed to deliver any certifications that may be necessary or appropriate to evidence the approval by the Township of the Preliminary Offering Circular and the Offering Circular.

Section 6. *Additional Authorizations.* The Fiscal Officer and the Governing Body are each hereby authorized and directed to take any and all other actions and to execute any and all other certificates and documents as may in their judgment be necessary, desirable, advisable or appropriate in connection with the execution and delivery of the Purchase Agreement, Ground Lease, the Lease, the Supplemental Indenture, the Collateral Documents, the execution of the Certificates by OTA Leasing and delivery of the Certificates by the Trustee and the purchase of the Certificates by the Original Purchaser in order to give effect to the transactions contemplated to be performed on the part of the Township under the Ground Lease, the Lease and the Supplemental Indenture. The Governing Body acknowledges and agrees that OTA Leasing has retained the services of Calfee, Halter & Griswold LLP, municipal bond counsel, in connection with the transaction contemplated under this Resolution and that its fees and expenses will be paid from the proceeds of the Certificates. The Fiscal Officer is hereby authorized to engage George K. Baum & Company, as financial advisor to provide services to the Township in connection with the transaction contemplated under this Resolution and the Governing Body acknowledged and agrees that the fees and expenses of such financial advisor will also be paid from the proceeds of the Certificates.

Section 7. *Authorizations relating to Compliance with Federal Tax Laws.* The Governing Body, alone or in conjunction with any other officer or employee of the Township, is authorized and directed (a) to cooperate with OTA Leasing and the Trustee by making, on behalf of the Township, such covenants and representations in the Lease as are appropriate and necessary with respect to causing the interest component of the Base Rentals, proportionate interests in which are evidenced by the Certificates, to be and remain excluded from gross income of the holders of the Certificates for federal income tax purposes and (b) to give an appropriate certificate of the Township, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Certificates, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest component of the Base Rentals. The Fiscal Officer and other appropriate officers are hereby further authorized and directed to take any and all actions, make calculations and rebate payments, and make or

give reports and certifications, as may be appropriate to assure that the interest component of the Base Rentals will be and remain excluded from gross income for federal income tax purposes.

Section 8. Appropriation of Lease Rental Payments for Initial Term. To provide for the payment of Lease Rental Payments coming due during the Initial Term of the Lease, there is hereby appropriated from the Austin Centre fund of the Township an amount equal to the Lease Rental Payments set forth in Exhibit B to the form of Lease for the Lease Rental Payment Dates to occur during such Initial Term.

Section 9. Severability. 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 Resolution.

Section 10. Open Meeting Law. This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 11. Conflicts. 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 12. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.



Deborah M. Preston, Trustee President

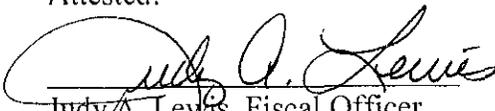


Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 13, 2010

GAH:mrm

RESOLUTION 98-2010

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$12,000,000, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, AND THE CITIES OF MIAMISBURG AND SPRINGBORO, OHIO, OF CONSTRUCTING AN INTERCHANGE ON INTERSTATE 75 AT THE INTERSECTION WITH SPRINGBORO ROAD/AUSTIN PIKE, AND CONSTRUCTING RELATED SURFACE STREET PROJECTS, INCLUDING BYERS ROAD, AUSTIN PIKE AND SPRINGBORO ROAD, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, RELOCATING AND INSTALLING UTILITIES, CONSTRUCTING SIDEWALKS AND BIKEWAYS, INSTALLING TRAFFIC SIGNALIZATION, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A BOND PURCHASE AGREEMENT, SECOND AMENDMENT TO COOPERATIVE AGREEMENT, BOND REGISTRAR AGREEMENT, CONTINUING DISCLOSURE AGREEMENT AND RELATED OFFERING DOCUMENTS

Whereas, this Board desires to work cooperatively with the Montgomery County Transportation Improvement District (Ohio) (the "*District*"), the City of Miamisburg, Ohio ("*Miamisburg*"), the City of Springboro, Ohio ("*Springboro*") and, collectively with the Township and Miamisburg, the "*Subdivisions*"), and the Ohio Department of Transportation ("*ODOT*") in connection with the construction of an interchange on Interstate 75 at the Intersection with Springboro Road/Austin Pike, and constructing related surface street projects, including Byers Road, Austin Pike and Springboro Road, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, relocating and installing utilities, constructing sidewalks and bikeways, installing traffic signalization, and acquiring related interests in real property, together with all necessary appurtenances thereto (collectively, the "*Project*") by issuing a general obligation bond of the Township for the purpose of paying costs of the Project; and

Whereas, this Township, the District, Miamisburg, Springboro and the Miamisburg City School District have entered into a Cooperative Agreement dated as of December

15, 2005, as amended and supplemented (the "*Cooperative Agreement*"), providing for, among other things, the financing and development of the Project; and

Whereas, the Cooperative Agreement qualifies as an agreement which is described under Section 515.03 of Am. Sub. H.B. 66 of the 126th General Assembly ("*Section 515.03*"); and

Whereas, Section 515.03 provides that once an agreement authorized by Section 515.03 is in effect, the Township may issue securities under 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 the Project constitutes a "project," as defined in Section 5540.01 of the Ohio Revised Code; and

Whereas, Section 515.03 provides that once an agreement authorized by Section 515.03 is in effect, the Township may issue general obligation bonds under Chapter 133 of the Ohio Revised Code for transportation projects such as the Project, and the District may purchase those bonds from the Township; and

Whereas, pursuant to Resolution No. 225-2005 adopted December 13, 2005 (the "*TIF Resolution*") and Ohio Revised Code Section 5709.73, this Board has exempted from taxation certain Improvements (as that term is defined in Ohio Revised Code Section 5709.73) to certain parcels of real property located within the Township, required the owners of those parcels to pay service payments in lieu of real property taxes (the "*PILOTs*") in respect of those Improvements, and identified certain public improvements that will directly benefit those parcels of real property; and

Whereas, pursuant to the TIF Resolution and Ohio Revised Code Section 5709.75, the PILOTs received by the Township shall be deposited in the Austin Road Interchange and Related Infrastructure Project Township Public Improvement Tax Equivalent Fund and used to pay debt charges on the securities issued by the Township to finance the public improvements identified in the TIF Resolution; and

Whereas, this Board has determined that the Project (as defined herein) shall benefit the Improvements and the related PILOTs shall be used to (i) pay any and all acquisition, construction, installation, financing costs, and any and all other direct and indirect costs of the Project, including those costs set forth in Ohio Revised Code Section 133.15(B), and (ii) pay the interest on, principal of, and any premium on bonds issued by the Township to finance costs of the Project; and

Whereas, pursuant to Resolution No. 169-2009 adopted by this Board on October 3, 2009 (the "*Prior Resolution*"), notes in anticipation of bonds in the aggregate amount of \$10,735,000, dated November 3, 2009 (the "*Outstanding Notes*"), were issued by the Township to pay the costs, in cooperation with the District, ODOT, Miamisburg and Springboro of constructing the Project, which Outstanding Notes shall mature on August 2, 2010; and

Whereas, this Board hereby determines that the Township should retire the Outstanding Notes with the proceeds of Bonds authorized in Section 2 below (the "Bonds"); and

Whereas, the Fiscal Officer has certified to this Board that the estimated life or period of usefulness of the Project is at least five (5) years and the maximum maturity of the Bonds authorized herein is at least twenty-three and one-half (23.5) years; and

Whereas, this Board finds that it is in the best interest of the Township to work cooperatively with the District, Miamisburg and Springboro to issue bonds for the purpose of paying the costs of the Project; 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:

"Accreted Value" means (i) as of any Valuation Date, the amount set forth for such date in the Certificate of Award and (ii) as of any date other than a Valuation Date, the sum of (a) the Accreted Value on the preceding Interest Accretion Date and (v) the product of (1) a fraction, the numerator of which is the number of days having elapsed from the preceding Interest Accretion Date and the denominator of which is the number of days from such preceding Interest Accretion Date to the Valuation Date, calculated based on the assumption that Accreted Value accrues during any semiannual period in equal daily amounts on the basis of a year of twelve 30-day months, and (2) the difference between the Accreted Values for such dates.

"Act" means Chapter 133 of the Ohio Revised Code and Section 515.03 of Am. Sub. H.B. 66 of the 126th General Assembly.

"Administrator" means the Township Administrator of the Township.

"Authorized Denominations" means the denominations on the date of issuance and delivery equal to the principal amount determined by the Fiscal Officer in the Certificate of Award.

"Bond Proceedings" means, collectively, this Resolution, the Certificate of Award, the Bond Purchase Agreement and such other proceedings of the Township, including the Bonds, that provide collectively for, among other things, the rights of holders and the beneficial owners of the Bonds.

"Bond Purchase Agreement" means the Bond Purchase Agreement among the Township, the District, Miamisburg, Springboro and the Original Purchaser, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 6 of this Resolution.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“*Bond Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bond Registrar Agreement*” means the Bond Registrar Agreement among the District, the Township, Miamisburg, Springboro and the Bond Registrar, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 4.

“*Bonds*” means the Bonds of the Township authorized by Section 2 of this Resolution.

“*Capital Appreciation Bonds*” means any Bond as to which interest is compounded on each Interest Accretion Date for such Bond and is payable only at the maturity or prior redemption thereof.

“*Certificate of Award*” means the certificate authorized by Section 6, to be executed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*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.

“*District*” means the Montgomery County Transportation Improvement District (Ohio).

“*District Bond Resolution*” means the resolution adopted by the District authorizing the issuance of the District Bonds.

“*District Bonds*” means that portion of the bonds authorized and issued by the District for the purpose of paying the costs of the Project and acquiring the Bonds, which is allocable to the Township, such amount not being more than 58% of the District Bonds, as designated by the Fiscal Officer in the Certificate of Award..

“*Fiscal Officer*” means the Fiscal Officer of the Township.

“*Interest Accretion Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“*Original Purchaser*” means the purchaser of the District Bonds as specified in the Bond Purchase Agreement.

“*Principal Payment Dates*” means June 1 and December 1 in each of the years from and including 2011 to and including 2023, *provided* that the first Principal Payment Date may be advanced or deferred up to one year and the last Principal Payment Date may be advanced or deferred up to five years, and *provided further* that the Accreted Values of the Bonds shall be in such amounts and be payable on such dates as shall equal the principal and interest due on such Principal Payments on that portion of the District Bonds to be paid by the Township, which determination shall be made by the Fiscal Officer in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the Township.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

“*Second Amendment*” means the Second Amendment to Cooperative Agreement among the District, Miamisburg, Springboro and the Township, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 11 of this Resolution.

“*Serial Bonds*” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“*Term Bonds*” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

“*Valuation Date*” means with respect any Capital Appreciation Bond, each date set forth in the Certificate of Award on which a specific Accreted Value is assigned to such Capital Appreciation Bond.

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.

Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary and in the best interest of the Township to issue bonds of this Township in the maximum principal amount of \$12,000,000 (the "*Bonds*") for the purpose of paying the costs, in cooperation with ODOT, the District, Miamisburg and Springboro, of constructing an interchange on Interstate 75 at the intersection with Springboro Road/Austin Pike, and constructing related surface street projects, including Byers Road, Austin Pike and Springboro Road, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, relocating and installing utilities, constructing sidewalks and bikeways, installing traffic signalization, and acquiring related interests in real property, together with all necessary appurtenances thereto (the "*Project*"). The Bonds may be issued in one or more series. The Bonds shall be issued pursuant to the Act, this Resolution and the Certificate of Award.

The aggregate principal amount of Bonds to be issued shall not exceed the maximum aggregate principal amount specified in this Section 2 and shall be an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Project, the estimates of the financing costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the Township, (or withheld by the District on behalf of the Township as described below), except any premium and accrued interest, are hereby appropriated and shall be immediately used in accordance with the Cooperative Agreement to pay the costs of the Project and to pay those costs of issuance of the Bonds specified in the Certificate of Award, which expenditures are hereby determined to be costs of the Project as defined in the Act and this Resolution. The Certificate of Award and the Bond Purchase Agreement may authorize the District to withhold or cause to be withheld certain proceeds from the purchase price of the Bonds to provide for the payment of certain costs of issuance on behalf of the Township. Any portion of those proceeds received by the Township representing premium (after payment of those costs of issuance) or accrued interest shall be paid into the Bond Service Fund and are hereby appropriated to pay bond service charges on the Bonds as those charges become due.

Section 3.

Denominations; Dating; Principal and Interest Payment and Redemption Provisions.

The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the District, the Fiscal Officer is hereby authorized to prepare one bond representing the aggregate principal amount

of Bonds of a series maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

- (a) Interest Rates and Payment Dates. The Bonds shall bear interest from their date of issuance at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), accrued and compounded on each Interest Accretion Date and payable at maturity, which will result in the aggregate Accreted Value payable at maturity, as shall be specified by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond on any particular date shall be an amount equal to the amount by which the Accreted Value of the Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.
- (b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the Township.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the Township, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the Accreted Value thereof as of such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the Accreted Value thereof as of such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the Accreted Value that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on each Mandatory Redemption Date, *provided* that such determinations shall be consistent with the terms of the District Bonds.

The maturity date of any single bond may be deferred pursuant to the provisions of the Second Amendment, so long as all requirements set forth in the Second Amendment are complied with and the maturity date of no bond shall be deferred beyond the final maturity date of the bonds or if such a deferral would cause a violation of Section 133.21 of the Ohio Revised Code for the bonds.

- (c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The Accreted Value of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on each Principal Payment Date shall equal the principal and interest due on such Principal Payment Date on that portion of the District Bonds to be paid by the Township and

shall be such that the Accreted Value of the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 8.00% per year.

- (d) Payment of Bond Service Charges. The bond service charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The Accreted Value of the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar.
- (e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:
 - (i) Mandatory Sinking Fund Redemption of Term Bonds. If the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the Accreted Value payable on the applicable Mandatory Redemption Dates for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the “*Mandatory Sinking Fund Redemption Requirements*”), *provided* that such determinations shall be consistent with the terms of the District Bonds.

The aggregate of the moneys to be deposited with the Bond Registrar for payment of the Accreted Value of any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the Accreted Value of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The Township shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any Accreted Value and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the Township, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the Township on or before the 45th day preceding any Mandatory Redemption Date with respect to which the Township wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the

certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the Township for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the Accreted Value thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

- (ii) Optional Redemption. The Bonds, if any, specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the Township, in whole or in part, on the dates and at the redemption prices (expressed as a percentage of the Accreted Value to be redeemed), to be determined by the Fiscal Officer in the Certificate of Award; *provided* that the earliest optional redemption date shall not be later than December 1, 2020, and the redemption price for the earliest optional redemption date shall not be greater than 103%, and *provided further* that such determinations shall be consistent with the terms of the District Bonds. The Township shall be permitted to optionally redeem any Capital Appreciation Bond on any date upon forty-five days written notice to the District and Registrar at a price equal to the Accreted Value as of the date of maturity regardless of the date of redemption, unless the District notifies the Township that it will simultaneously be redeeming a like amount of District Bonds, as defined in the Second Amendment, in which case the redemption price shall be the Accreted Value as of the date of redemption
- (iii) Extraordinary Optional Redemption. The Bonds, shall be subject to extraordinary optional redemption in accordance with the provisions of the Second Amendment, as set forth in the Certificate of Award, provided that any Bonds redeemed pursuant to the Second Amendment prior to their stated maturity shall be redeemed at a price equal to the Accreted Value as of the date of maturity regardless of the date of redemption.

- (iv) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and Accreted Value or Values selected by the Township. If optional or extraordinary optional redemption of Term Bonds at a redemption price exceeding 100% of the Accreted Value to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements.
- (v) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds 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 Bond 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 Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond 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 any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.
- (vi) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d), upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, are held by the Bond 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 those Bonds and portions thereof called for redemption shall 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, those Bonds and portions thereof shall continue to be outstanding and accrue interest as though they had not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds 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 Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be designated "Road Improvement Bonds (Austin Road Interchange Project)" and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of Chapter 133 of the Ohio Revised Code and this Resolution. The Bonds shall be signed by at least two members of the Board of Township Trustees 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 Bonds shall be issued in the Authorized Denominations and numbers as requested by the District and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond 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 Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Bond Registrar Agreement among the District, the Township and the Bond Registrar, in substantially the form as is now on file with the Fiscal Officer. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the District Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is

entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond 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 Bonds.

Section 5. Registration; Transfer and Exchange.

- (a) Bond Register. So long as any of the Bonds remain outstanding, the Township will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Payment of or on account of the bond service charges on any Bond shall be made only to or upon the order of that person; neither the Township nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond 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 Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond 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 Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond 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 Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the Township. In all cases of Bonds exchanged or transferred, the Township shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds 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 Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the Township nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th

day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6.

Sale of the Bonds to the District. It is determined to be in the best interest of the Township that the Bonds shall be sold at private sale to the District at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds 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 Certificate of Award, in accordance with law and the provisions of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the District upon payment of the purchase price.

The Fiscal Officer or the Administrator are authorized to sign and deliver, in the name and on behalf of the Township, the Bond Purchase Agreement among the District, the Township and the Original Purchaser, in substantially the form as is now on file with the Fiscal Officer. The Bond Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the officer executing such agreement on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments thereto.

The Township Trustees, or any of them, the Fiscal Officer, the County Prosecutor, or other 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.

Section 7.

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 Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds 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, provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the Township shall be reduced by the

amount of the revenues so available and appropriated. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

In each year to the extent money from PILOTs deposited into the Austin Road Interchange and Related Infrastructure Project Township Public Improvement Tax Equivalent Fund created pursuant to Section 5709.75 of the Revised Code and the TIF Resolution is available for the payment of the debt charges on the Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from PILOTs lawfully available therefore under the Constitution and laws of the State of Ohio; and the Township hereby covenants, subject and pursuant to such authority, including particularly Section 133.04(B)(8), Revised Code, to appropriate annually from such PILOTs such amount as is necessary to meet such annual debt charges.

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

Section 8. Federal Tax Considerations.

The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (i) the Bonds will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (ii) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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 the Township, or any other officer of the Township having responsibility for issuance of the Bonds, is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Bonds or the District Bonds 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 Bonds 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 Bonds, 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 Bonds, which action shall be in writing and signed by the officer; (ii) 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 Township, and (iii) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Bonds, 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 Bonds. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Bonds is specifically authorized to designate Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Official Statement, Rating, Bond Insurance and Continuing Disclosure.

- (a) Primary Offering Disclosure – Official Statement. Any two of the President 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 Bonds, (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 Bonds, 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 Rating or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds or the District Bonds 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 Bonds or the District Bonds, is in the best interest of and financially advantageous to this Township, 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 further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds or the District Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the Township, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the District and the holders and beneficial owners from time to time of the District Bonds, the Township agrees, as an obligated person with respect to the District Bonds 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 paragraph (b)(5) of the Rule. The Township further agrees, in particular, to provide or cause to be provided:
- (i) to the MSRB, at least annually, (A) Annual Information for each Township fiscal year ending hereafter, not later than the 270th day following the end of the fiscal year, and (B) when and if available, audited Township financial statements for each such fiscal year; and,
 - (ii) to the MSRB, in a timely manner, notice of (A) any Specified Event if that Event is material, (B) the Township's failure to provide the Annual Information within the time specified above, and (C) any change in the accounting principles applied in the preparation of its annual financial statements, any change in its fiscal year, its failure to appropriate funds to meet costs to be incurred to perform the Continuing Disclosure Agreement, and of the termination of the Continuing Disclosure Agreement.

The Township further agrees that all documents provided to the MSRB shall be in the form and accompanied by identifying information as prescribed by the MSRB.

In order to further describe and specify certain terms of the Township's Continuing Disclosure Agreement made for purposes of the Rule in and pursuant to this Resolution and to be formed, collectively, by this subsection (c) and the Continuing Disclosure Certificate, the Fiscal Officer is authorized

and directed to complete, sign and deliver the Continuing Disclosure Certificate, in the name and on behalf of the Township. The Continuing Disclosure Certificate is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Certificate.

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 in accordance with clause (ii) above or providing notice of the occurrence of any other events, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, 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 Township reserves the right to amend its Continuing Disclosure Agreement, and to obtain the waiver of noncompliance with any provision of the Continuing Disclosure Agreement, as may be necessary or appropriate to achieve its compliance with any applicable federal securities law or rule, to cure any ambiguity, inconsistency or formal defect or omission, and to address any change in circumstances arising from a change in legal requirements, change in law, or change in the identity, nature, or status of the Township, or type of business conducted by the Township. Any such amendment or waiver will not be effective unless the Continuing Disclosure Agreement (as amended or taking into account such waiver) would have complied with the requirements of the Rule at the time of the primary offering of the District Bonds, after taking into account any applicable amendments to or official interpretations of the Rule, as well as any change in circumstances, and until the Township shall have received: either (i) a written opinion of bond or other qualified independent special counsel selected by the Township (and approved by the District) that the amendment or waiver would not materially impair the interests of holders or beneficial owners of the District Bonds or (ii) the written consent to the amendment or waiver of the holders of at least a majority of the principal amount of the District Bonds then outstanding.

The Township's Continuing Disclosure Agreement shall be solely for the benefit of the District and the holders and beneficial owners from time to time of the District Bonds. The exclusive remedy for any breach of the Continuing Disclosure Agreement by the Township shall be limited, to the extent permitted by law, to a right of the District or holders and beneficial owners to institute and maintain, or to cause to be instituted and maintained,

such proceedings as may be authorized at law or in equity to obtain the specific performance by the Township of its obligations under the Continuing Disclosure Agreement. The District or any individual holder or beneficial owner may institute and maintain, or cause to be instituted and maintained, such proceedings to require the Township to provide or cause to be provided a pertinent filing if such a filing is due and has not been made. Any such proceedings to require the Township to perform any other obligation under the Continuing Disclosure Agreement (including any proceedings that contest the sufficiency of any pertinent filing) shall be instituted and maintained only by the District, by a trustee appointed by the holders and beneficial owners of not less than 25% in principal amount of the District Bonds then outstanding, or by holders and beneficial owners of not less than 10% in principal amount of the District Bonds then outstanding in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as applicable (or any like or comparable successor provisions).

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.

The Township's Continuing Disclosure Agreement shall remain in effect only for such period that the District Bonds are outstanding in accordance with their terms and the Township remains an obligated person with respect to the District Bonds within the meaning of the Rule.

Section 10. Bond Counsel. The law firm of Calfee, Halter & Griswold LLP is hereby appointed to provide bond counsel services in connection with the issuance of the Bonds. The costs of those services shall be paid from the proceeds of the Bonds.

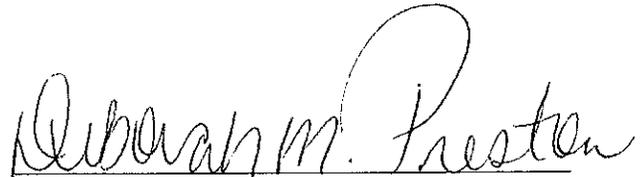
Section 11. Second Amendment to Cooperative Agreement. The Second Amendment, providing generally for the issuance of the Bonds to redeem the Outstanding Notes and approving certain other financings and related matters to be undertaken pursuant to the Cooperative Agreement, is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township with the concurrence of the Township's Bond Counsel, all of which shall be conclusively evidenced by the signing of the Second Amendment or amendments thereto.

Section 12. Satisfaction of Conditions for Bond 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 Bonds 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 Bonds 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 7) of the Township are

pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 13. 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 were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

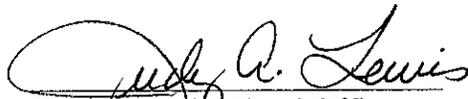
Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 13, 2010
GAH:seb

RESOLUTION #99-2010

**RESOLUTION TO EXTEND A FINAL DEVELOPMENT PLAN
APPROVAL FOR ZONING CASE #393-07**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, July 27, 2010; and

Whereas, the Final Development Plan for Section I of the Rivendell Plat under Zoning Case #393-07, originally filed by Zengel Construction Company, expired on July 22, 2010; and

Whereas, a request has been filed for a one (1) year extension of the Final Development Plan, and the Trustees reviewed the purpose and necessity of an extension; and

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the extension of the Final Development Plan for Section I under Zoning Case #393-07 for a period of one (1) year, effective July 22, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:mrm

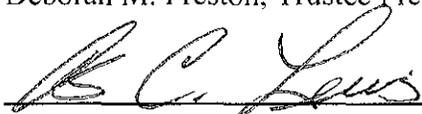
RESOLUTION #100-2010

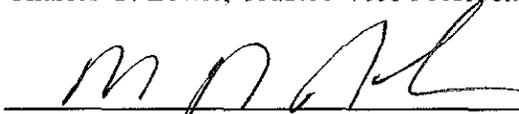
**RESOLUTION TO EXTEND A FINAL DEVELOPMENT PLAN
APPROVAL FOR ZONING CASE #370-05**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, July 27, 2010; and
- Whereas,** the Final Development Plan for Zoning Case #370-05, originally filed by the J.C. Hart Company, Inc., EHR Ltd., and Raymond D. Williams, expired on July 25, 2010; and
- Whereas,** a request has been filed for a one (1) year extension of the Final Development Plan, and the Trustees reviewed the purpose and necessity of an extension; and
- Whereas,** the Montgomery County Transportation Improvement District (the "MCTID") is preparing a Traffic Impact Study for the future access point and there is a need for coordination between the developer and the MCTID; and
- Whereas,** J.C. Hart Company Inc., (the "Developer") has agreed to coordinate the design of the future access point onto State Route 741 with the MCTID; and

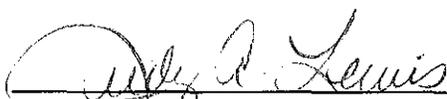
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the extension of the Final Development Plan for Zoning Case #370-05 for a period of one (1) year, effective July 25, 2010 provided an agreement is executed between the Developer and the MCTID regarding the planning, design, financing, construction, and maintenance of the future access point and associated traffic signals on State Route 741.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:seb

RESOLUTION #101-2010

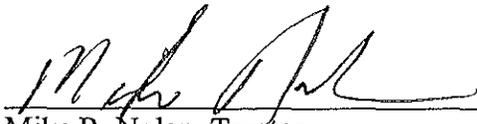
**RESOLUTION TO DECLARE POLICE DEPARTMENT VEHICLES AS
SURPLUS AND AUTHORIZE THE SALE OF SAID PROPERTY AT
PUBLIC AUCTION**

- 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 Miami Township Police Department has three Ford Crown Victorias that have been taken out of service and replaced with newer vehicles; and
- Whereas,** the Chief of Police has recommended that the three Ford Crown Victorias listed on the attached sheet be declared surplus and be disposed of at Public Auction; and

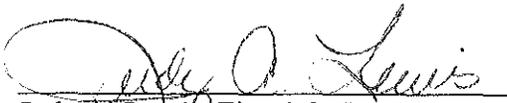
Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10 the Miami Township Board of Trustees declares the attached list of police vehicles as surplus property and approves of their disposal at public auction.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

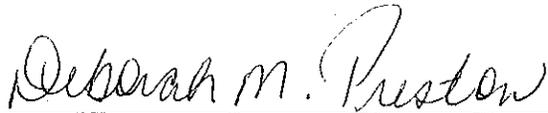

Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:seb

RESOLUTION #102-2010

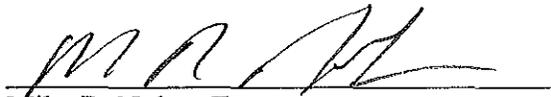
**RESOLUTION TO APPROVE OBTAINING A SALVAGE TITLE FOR
POLICE VEHICLE #617(2008 FORD CROWN VIC) AND USING THE
VEHICLE FOR SPARE PARTS**

- Whereas,** marked police vehicle #617, a 2008 Ford Crown Victoria, VIN 2FAHP71V38X130844, was involved in an accident caused by a private citizen and sustained significant damage; and
- Whereas,** the insurance company insuring the private citizen declared vehicle #617 a total loss and provided compensation for the damages to vehicle #617 to the police department; and
- Whereas,** the Chief of Police has made a recommendation to the Board of Trustees that vehicle #617 be used for spare parts to repair other damaged vehicles; and
- Whereas,** the Chief of Police has also recommended that the Board of Trustees approve the police department to acquire a salvage title for vehicle #617; and

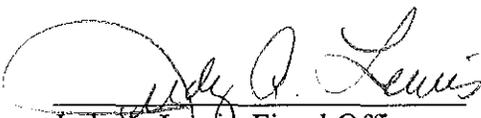
Therefore Be It Resolved, the Miami Township Board of Trustees approves the recommendation of the Chief of Police to use vehicle #617 for spare parts, and authorizes the Chief of Police to acquire a salvage title for vehicle #617 and to dispose of vehicle #617 to a salvage yard when all useable parts have been removed from the vehicle.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:seb

RESOLUTION #103-2010

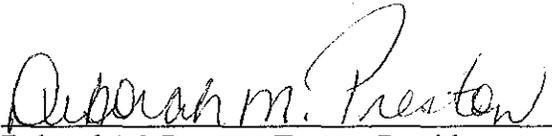
**RESOLUTION TO ACCEPT KINGSRIDGE DRIVE IMPROVEMENTS
FOR TOWNSHIP MAINTENANCE**

Whereas, Kingsridge Drive at the Shoppes at 725, received final inspection by Montgomery County and Miami Township; and

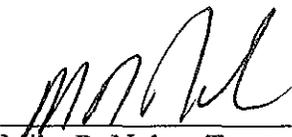
Whereas, the Public Works Director has given his approval; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the following street improvement for Township maintenance:

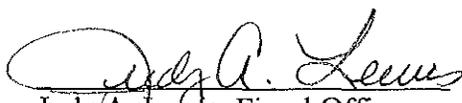
1. Kingsridge Drive Road Improvements Only


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

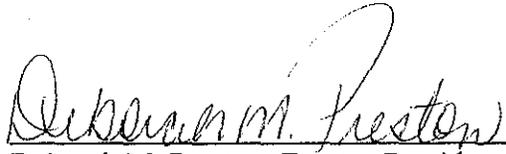

Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:mrm

RESOLUTION #104-2010

RESOLUTION TO ADOPT AN ACCESS MANAGEMENT PLAN FOR BYERS ROAD AND OTHER CONNECTING ROADWAYS

- Whereas,** the Miami Township Board of Trustees (“the Board”) met in a regular session on Tuesday, July 27, 2010; and
- Whereas,** Miami Township has cooperated with the Montgomery County Transportation Improvement District (“TID”), the City of Miamisburg, and Montgomery County in the development of an access management plan for Byers Road and Austin Boulevard on the west side of Interstate 75, see attached Exhibit A, in connection with the construction of the Austin Interchange and the relocation and improvement of Byers Road (the “Plan”); and
- Whereas,** the Plan will help to minimize congestion and reduce accidents in the future, maintain performance of the Austin Interchange, Byers Road, and other connecting roadways and maximize access to adjacent and nearby parcels; and
- Whereas,** the Plan has been recommended by the Austin Interchange Land Use Advisory committee and is supported by all the jurisdictions involved in its development; and
- Whereas,** implementation of the plan is in the best interest of Miami Township and promotes the health, safety and welfare of the region; and

Therefore Be It Resolved, by the Miami Township Board of Trustees that the access management plan for Byers Road and Austin Boulevard on the west side of Interstate 75 be and is hereby adopted.



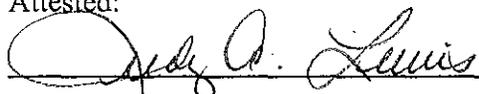
Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:mrm

RESOLUTION #105-2010

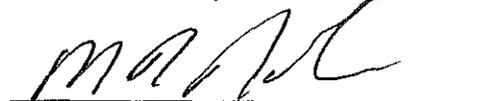
RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF MEMORANDUM OF UNDERSTANDING RELATING TO THE IMPROVEMENTS TO WASHINGTON CHURCH ROAD BETWEEN MIAMI TOWNSHIP AND WASHINGTON TOWNSHIP, AND TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE DOCUMENTS AS REQUIRED

- 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,** both Townships have collectively prepared a Memorandum of Understanding, that has been approved by legal counsel, describing the terms of the proposed agreement, with such agreement to be subject to the approval of both Townships; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to take the necessary action to execute the Memorandum of Understanding with Washington Township for the improvements to Washington Church Road.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 27, 2010
GSR:mrm

RESOLUTION #106-2010

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO FILE AN APPLICATION TO THE STATE OF OHIO, TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND

Whereas, the State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of addressing local needs; and

Whereas, the Miami Township Board of Trustees desires to participate in the Program to receive financial assistance for the Former NCR Training Facility Project under the Clean Ohio Assistance Fund; and

Whereas, the Miami Township Board of Trustees has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Department of Development, Clean Ohio Assistance Fund; and

Whereas, the Miami Township Board of Trustees must direct and authorize the Site Improvement Project Manager to act in connection with the application and to provide such additional information as may be required; and

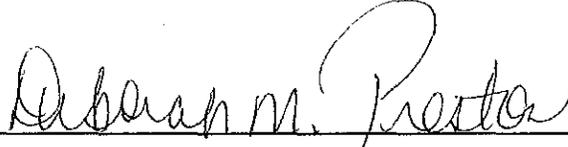
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that:

Section 1. The Miami Township Board of Trustees authorizes the Township Administrator, as the official representative (the "Site Improvement Project Manager") of the Former NCR Training Facility Project application to participate in the State of Ohio, Department of Development, Clean Ohio Program and provide all information and documentation required in said Application for State of Ohio, Clean Ohio Assistance Fund submission including execution of an access agreement and partnership agreement between Miami Township and Legacy Ministries International, Inc.

Section 2. The Miami Township Board of Trustees hereby approves filing an application for financial assistance under the Clean Ohio Assistance Fund.

Section 3. The Miami Township Board of Trustees hereby understands and agrees that participation in the program will require compliance with program guidelines and assurances.

SIGNATURE PAGE FOR RESOLUTION #106-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 27, 2010

GSR:seb

RESOLUTION #108-2010

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

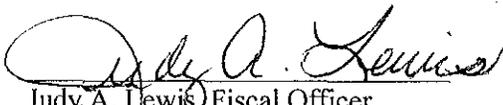
- Whereas,** the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and
- Whereas,** Miami Township is planning to make capital improvements to Washington Church 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,** that 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.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
Mike R. Nolan, Trustee

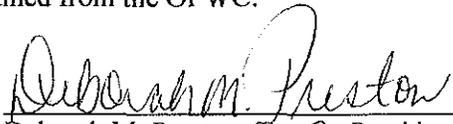
Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR: mrm

RESOLUTION #109-2010

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 \$3,552,317, and \$1,776,159.00 of that sum is attributable to work for which Miami Township is responsible, and \$1,776,158.00 is attributable to work for which Washington Township is responsible; and
- Therefore Be It Resolved,** that Miami Township will encumber an estimated \$355,232.00, and that Washington Township will encumber an estimated \$355,232.00, which collectively is equal to 20% of the estimated amount for which it is responsible; and
- Be It Further Resolved,** that the remaining funds necessary to complete the Washington Church Road Phase I Improvements will be obtained from the OPWC.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR: mrm

RESOLUTION #110-2010

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

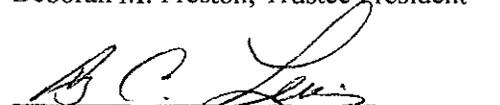
Whereas, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

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

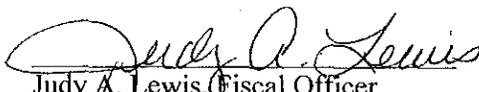
Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the Public Works Director to apply to the OPWC for funds, as described above, and authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR: mrm

RESOLUTION #111-2010

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 Loop 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

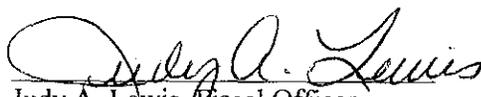
Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the Public Works Director to apply to the OPWC for funds, as described above, and authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR: mrm

RESOLUTION #112-2010

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 Southland Place; 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, that 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.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:

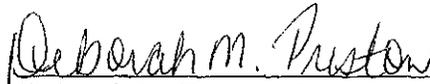

Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR: mrm

RESOLUTION #113-2010

**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 VRI, in the relocation to a substantially larger facility located in Miami Township and Montgomery County; and
- Whereas,** VRI expects to increase its current one hundred (100) employees to nearly three hundred (300) within five years after relocating; and
- Whereas,** Funds for moving and excess personnel costs will be borne completely by VRI; and
- Whereas,** additional funds are needed to satisfy the additional costs associated with design, building and leasehold improvements and the addition of redundancy and infrastructure for operation of the facility; 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 Opportunity Reserves 2010 ED/GE funding cycle.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR:seb

RESOLUTION #114-2010

**RESOLUTION TO PARTICIPATE IN AVIZENT'S (FRANK GATES)
EMPLOYER STATEMENT FOR GROUP RESTROSPECTIVE-
RATING PROGRAM FOR 2010/2011**

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

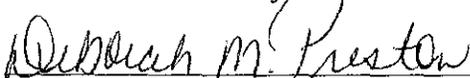
Whereas, the Human Resources Director has held several meetings with AVIZENT's representative to discuss claims experience, group participation, and the PROGRAM; and

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

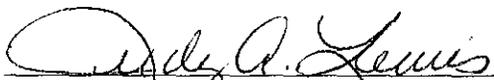
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Lisa R. deGuzman, Human Resources Director, and Joe Fowler, Finance Director, to execute the necessary documents and distribute the necessary finances that will result in a contract with AVIZENT, for \$11,471 for administration of the PROGRAM and secure these services for contract year 2010/2011.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President

absent
Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 10, 2010
GSR:lrd

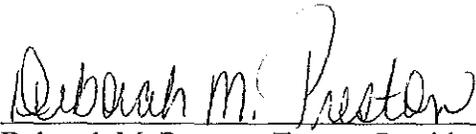
RESOLUTION #115-2010

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

Whereas, John "Luke" Burkhart has been a part-time firefighter/EMT since June 9, 2008;
and

Whereas, John "Luke" has decided to resign his position with the fire division to pursue a
career position with the City of Mason; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from John "Luke" Burkhart, and termination of his employment is
effective August 24, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:mrm

RESOLUTION #116-2010

**RESOLUTION TO ACCEPT A LETTER OF INTENT TO RETIRE
FROM A PLANNING & ZONING EMPLOYEE**

- Whereas,** Wayne Woodall has been in Code Enforcement with the Planning & Zoning Department since June 5, 2006; and
- Whereas,** Wayne Woodall, after four (4) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and
- Whereas,** Wayne Woodall's last day of employment will be at the end of his work shift on Friday, December 31, 2010; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Wayne Woodall, and termination of his employment to be effective at 5:00 pm on Friday, December 31, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:seb

RESOLUTION #117-2010

**RESOLUTION TO ACCEPT A LETTER OF INTENT TO RETIRE
FROM A PLANNING & ZONING EMPLOYEE**

Whereas, Theresa Smith has been an Administrative Assistant with the Planning & Zoning Department since December 27, 2000; and

Whereas, Theresa Smith, after ten (10) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Theresa Smith's last day of employment will be at the end of her work shift on Monday, January 3, 2011; and

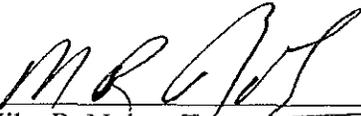
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Theresa Smith, and termination of her employment to be effective at 5:00 pm on Monday, January 3, 2011.



Deborah M. Preston, Trustee President

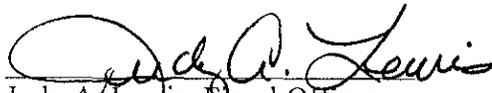


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:seb

RESOLUTION #118-2010

**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 as a part-time employee:

Ryan Parker Grade S-1 \$11.96 / per hour

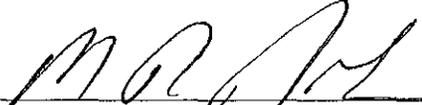
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective August 24, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:mmm

RESOLUTION #119-2010

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

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

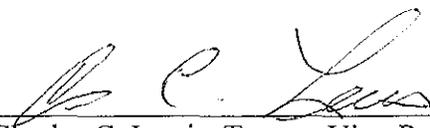
Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Alex Brahm Grade S-1 \$11.96 / per hour

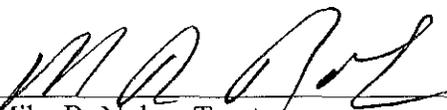
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective August 24, 2010.



Deborah M. Preston, Trustee President

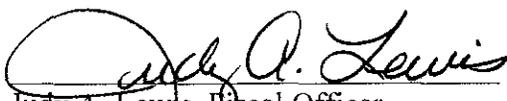


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:seb

RESOLUTION #120-2010

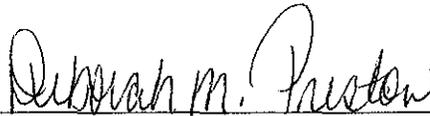
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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 as a part-time employee:

Wayne "Garrett" Sagraves Grade S-1 \$11.96 / 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 August 24, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:seb

RESOLUTION #121-2010

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 10545 Jamaica Rd., Carlisle, Ohio, 45005, 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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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:

10545 Jamaica Rd

Parcel ID #K50-23005-0008
Richard R. Tarr
10545 Jamaica Rd.
Carlisle, OH 45005

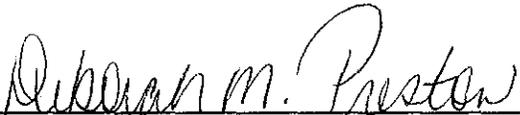
Mortgage Company

Chase Home Finance LLC
800 Brooksedge Boulevard
Westerville, OH 43081

Richard R. Tarr
8860 Jamaica Rd
Germantown, OH 45327

Richard R. Tarr
8045 Buckley Rd
Hillsboro, OH 45133

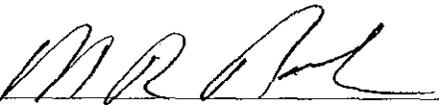
SIGNATURE PAGE FOR RESOLUTION #121-2010 ONLY



Deborah M. Preston, Trustee President

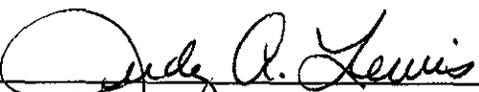


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:mrm

RESOLUTION #122-2010

**A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE
A MEMORANDUM OF UNDERSTANDING AND EASEMENT FOR A 24" WATER LINE**

- Whereas,** Miami Township owns land at the southwest corner of the Austin Interchange with Austin Boulevard and Interstate 75 identified as Parcels K45 02605 0015 and K45 02605 0053; and
- Whereas,** the Montgomery County Board of Commissioners owns property at the southeast corner of Wood Road and Austin Boulevard identified as Parcel K45 02605 0064 containing the Crain's Run standpipe, Exhibit A; and
- Whereas,** Montgomery County Water Services desires to obtain an easement for a new 24" water line to traverse the property owned by Miami Township from the east boundary line adjacent to Interstate 75 to the west boundary line adjacent to Wood Road along a path generally parallel with the southern boundary line and 30 feet in width as shown on Exhibit B; and
- Whereas,** Miami Township desires to facilitate the removal of an existing water stand pipe and obtain ownership of Parcel K45 02605 0064 and facilitate such other measures as will be mutually agreeable to both parties being more fully described in the attached Memorandum of Understanding; and
- Whereas,** Miami Township finds that installation of a new 24" water line is critical to successful development of property along Wood Road; 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 an easement and memorandum of understanding to provide for removal of the stand pipe and installation of a new 24" water line.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

Absent

Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:mrm

RESOLUTION #123-2010

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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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: May 11, 2010; 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 25, 2010 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 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 #123-2010 ONLY



Deborah M. Preston, Trustee President

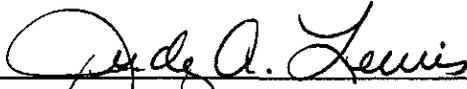


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:mrm

RESOLUTION #124-2010

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 7279 Zeck 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 24, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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:

7279 Zeck Road

Parcel ID #K45-23101-0019

Rebecca N. Cox

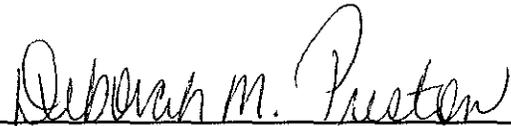
153 Willard Avenue

Franklin, OH 45005

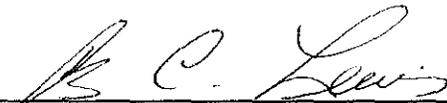
Mortgage Company

None Known

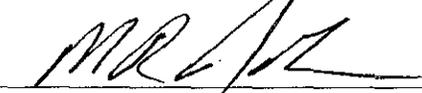
SIGNATURE PAGE FOR RESOLUTION #124-2010 ONLY



Deborah M. Preston, Trustee President

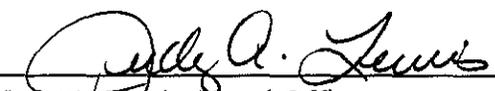


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:seb

RESOLUTION #125-2010

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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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: May 11, 2010; 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 25, 2010 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. Lewis
6060 Fifth Avenue
Miamisburg, OH 45342

Susan J. Lewis
6060 Fifth Avenue
Miamisburg, OH 45342

Mortgage Company

Manufacturers and Traders Trust Company,
as Trustee, on behalf of the holders of the
Home Equity Loan Pass-Through
Certificates, Series 1999-2
c/o Select Portfolio Servicing, Inc.
3815 S. West Temple
Salt Lake City, UT 84115

6060 Fifth Avenue

Joe E. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

Susan J. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

Mortgage Company



Deborah M. Preston, Trustee President

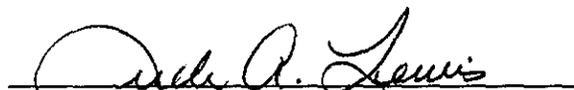


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:nrm

RESOLUTION #126-2010

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 South Union Road, 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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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: April 27, 2010; 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 25, 2010 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 South Union Road

Parcel ID #K45-25-11-80
Thomas E. Thygerson (deceased)
5410 South Union Road
Miamisburg, OH 45342

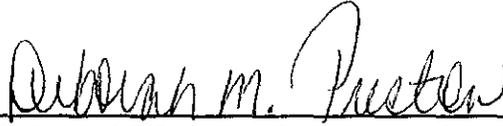
Mortgage Company

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

5410 South Union Road

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



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 24, 2010

GSR:mmm

RESOLUTION #127-2010

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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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: April 27, 2010; and

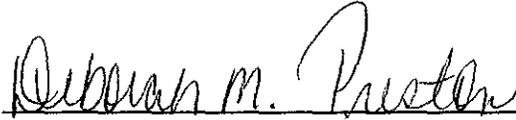
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the posting of the resolution on the principal structure and/or vacant land, which shall occur on August 25, 2010 or that the owner and/or lien holder of 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
Parcel ID #K50-184-26-26
& K50-184-26-39
Countrywide Home Loans
7105 Corporate Drive
Plano, TX 75024

Mortgage Company

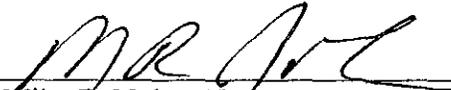
SIGNATURE PAGE FOR RESOLUTION #127-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 24, 2010

GSR:mrm

RESOLUTION #128-2010

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 6032 Sixth 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 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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: April 27, 2010; 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 25, 2010 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:

6032 Sixth Avenue

Parcel ID #K50-184-21-145
Carlo H. Wynne
6032 Sixth Avenue
Miamisburg, OH 45342

Kathleen J. Wynne
6032 Sixth Avenue
Miamisburg, OH 45342

Mortgage Company

Wells Fargo Bank, N.A. as Trustee
for the MLMI Trust Series 2005 FM1
c/o Wilshire Credit Corporation
14523 SW Millikan Way, Suite 200
P.O. Box 8517
Beaverton, OR 97005

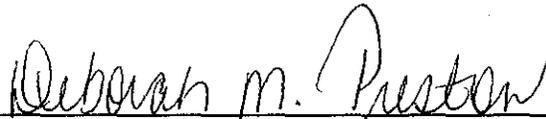
Mortgage Electronic Registration Systems, Inc
P.O. Box 7814
Ocala, FL 34478-7814

6032 Sixth Avenue

Carlo H. Wynne
7876 Jill Lane
Franklin, OH 45005-3818

Kathleen J. Wynne
7876 Jill Lane
Franklin, OH 45005-3818

Mortgage Company



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:mrm

RESOLUTION #129-2010

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 5700 Hollyhock Drive, 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 August 24, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 24, 2010, 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:

5700 Hollyhock Drive

Parcel ID #K47-232-1-8
Ruben Maull
5700 Hollyhock Drive
Dayton, OH 45449

Tiffanie Seigrist-Maull
5700 Hollyhock Drive
Dayton, OH 45449

Mortgage Company

Countrywide Home Loans, Inc.
7105 Corporate Drive
Mail Stop PTX-C-35
Plano, TX 75024

Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

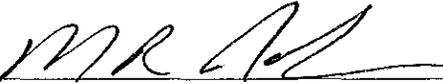
SIGNATURE PAGE FOR RESOLUTION #129-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 24, 2010

GSR:mrm

RESOLUTION #131-2010

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
PRELIMINARY DEVELOPMENT PLAN FOR 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 24, 2010; and

Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a major modification to the preliminary 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 approved the Major Modification to the Preliminary Development Plan under Zoning Case #222-88 and upholds the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

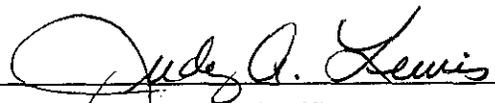


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



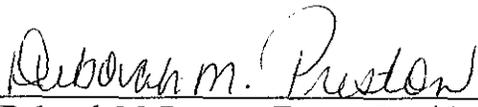
Judy A. Lewis, Fiscal Officer
Passed: August 24, 2010
GSR:seb

RESOLUTION #134-2010

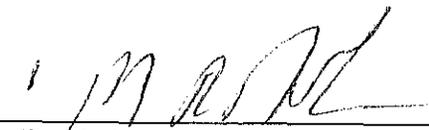
**RESOLUTION TO DECLARE A PARKS DEPARTMENT
VEHICLE AS SURPLUS PROPERTY AND AUTHORIZE THE SALE OF
SAID PROPERTY**

- Whereas,** the Ohio Revised Code, Section 505.10, establishes procedures by which the Township can sell, trade-in or dispose of Township owned articles; and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code; and
- Whereas,** the Parks Department has a 1997 Ford F350 one ton truck, VIN # 1FDLF47G9VEB57697, that is no longer needed and desires to sell the vehicle, to Hillgrove Union Cemetery, 1002 East Central Avenue, Miamisburg, Ohio, 45342; and

Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the 1997, Ford F350 truck, to be surplus property and approves the sale of the vehicle for \$4,200.00, to Hillgrove Union Cemetery and defer payment until 2011.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


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

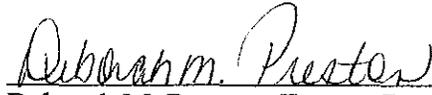
RESOLUTION #135-2010

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

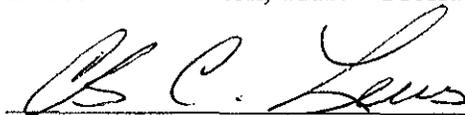
Whereas, Samuel Long has been a part-time firefighter/EMT since May 1, 2009; and

Whereas, Samuel has decided to resign his position with the fire division to pursue a career position with the Clearcreek Fire Division, and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Samuel Long, and termination of his employment is effective September 14, 2010.



Deborah M. Preston, Trustee President

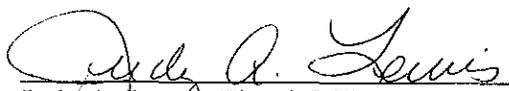


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 14, 2010
GSR:seb

RESOLUTION #136-2010

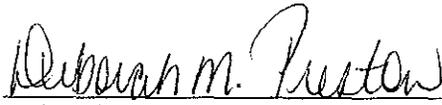
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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

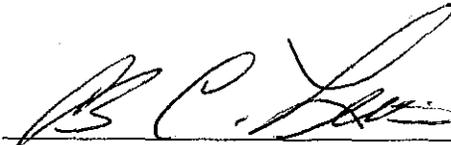
Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Nathan Bolling Grade S-1 \$11.96 / 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 September 14, 2010.



Deborah M. Preston, Trustee President

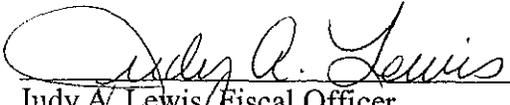


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 14, 2010

GSR:mmm

RESOLUTION #137-2010

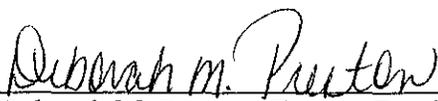
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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

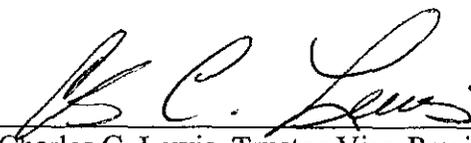
Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Christopher Kyer Grade S-1 \$11.96 / per hour

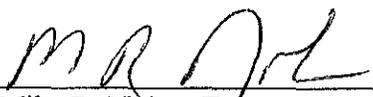
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective September 14, 2010.



Deborah M. Preston, Trustee President

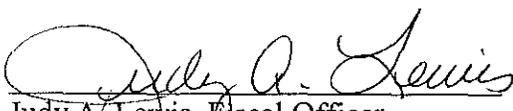


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



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

RESOLUTION #138-2010

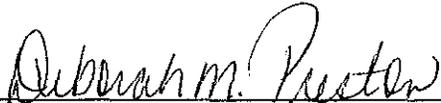
RESOLUTION TO APPOINT A POLICE OFFICER

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

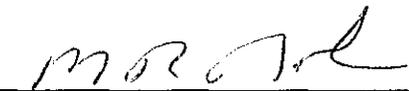
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Raymond P. Swallen to the position of Police Officer, at a starting rate of \$24.07 per hour, effective September 20, 2010.



Deborah M. Preston, Trustee President

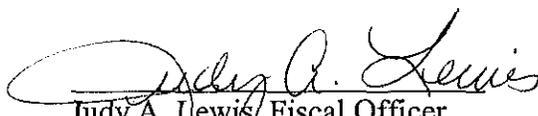


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 14, 2010
GSR:seb

RESOLUTION #139-2010

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized by Section 505.86 of the Ohio Revised Code to provide for removal, repair, or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and
- Whereas,** the Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Ave., in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged insecure structure would be conducted before the Board of Trustees on September 14, 2010; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on September 14, 2010 beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged insecure structure; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the property located at 6060 Fifth Ave, in Miami Township, Ohio is insecure; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees orders the owner(s) and/or lien holders to repair or remove structure(s) on said property with (30) days of the date of the mailing of this resolution or that the owner or lien holder of said property may, within (30) 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 insecure structure; and
- Be It Further Resolved,** if said structure(s) are not repaired or removed within (30) days, the Miami Township Board of Trustees authorizes staff to contract for the abatement of the structure on said property and assess the cost to the property tax duplicate:

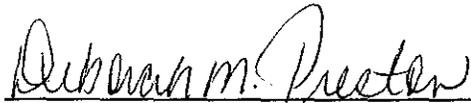
6060 Fifth Avenue
Parcel ID #K50-184-21-135
Joe E. Lewis
6060 Fifth Avenue
Miamisburg, OH 45342

Susan J. Lewis
6060 Fifth Avenue
Miamisburg, OH 45342

Joe E. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

Susan J. Lewis
7499 Martz-Paulin Road
Franklin, OH 45005

Mortgage Company
Manufacturers and Traders Trust Company,
as Trustee, on behalf of the holders of the
Home Equity Loan Pass-Through
Certificates, Series 1999-2
c/o Select Portfolio Servicing, Inc.
3815 S. West Temple
Salt Lake City, UT 84115



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 14, 2010
GSR:scb

RESOLUTION #140-2010

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 2310 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 September 14, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on September 14, 2010, 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:

2310 Lehigh Pl.

Parcel ID #K47-184-41-28

Robert E. Glick

2310 Lehigh Place

Dayton, OH 45439

Mortgage Company

JPMorgan Chase Bank National Association

c/o Chase Washington Mutual

7255 Baymeadows Way

Jacksonville, FL 32256

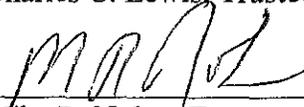
SIGNATURE PAGE FOR RESOLUTION #140-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 14, 2010

GSR:seb

RESOLUTION #141-2010

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 5736 South Union Road, 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 September 14, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on September 14, 2010, 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: July 13, 2010; 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 September 15, 2010 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:

5736 South Union Road
Parcel ID #K45-02511-0028
David T. Hiney
5736 South Union Road
Miamisburg, OH 45342

Mortgage Company
Wells Fargo Bank, N. A.
3476 Stateview Boulevard
Fort Mill, SC 29715
Mac# 7801-013

Tamera Hiney
1257 Sanlor Ave. Apt 5
West Milton, OH 45383

SIGNATURE PAGE FOR RESOLUTION #141-2010 ONLY



Deborah M. Preston, Trustee President

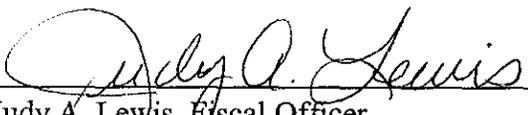


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 14, 2010
GSR:seb

RESOLUTION #142-2010

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 2410 Birch Run Ct., 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 September 14, 2010; and

Whereas the Miami Township Board of Trustees conducted said public hearing on September 14, 2010, 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:

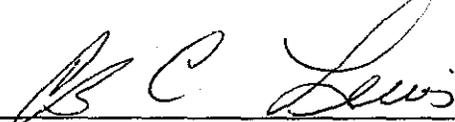
2410 Birch Run Court
Parcel ID #K45-25618-0021
Suntrust Mortgage Inc.
1001 Semmes Avenue
Richmond, VA 23224

Mortgage Company
None

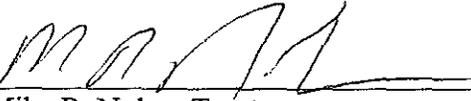
SIGNATURE PAGE FOR RESOLUTION #142-2010 ONLY



Deborah M. Preston, Trustee President

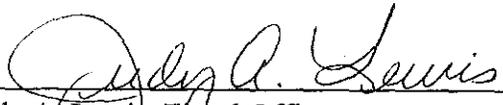


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 14, 2010
GSR:seb

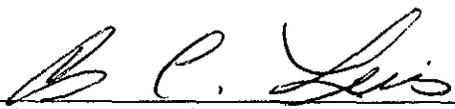
RESOLUTION #143-2010

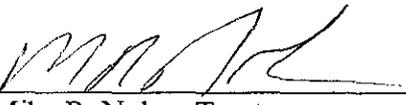
**RESOLUTION TO AWARD A BID FOR THE
CRAINS RUN ROAD RETAINING WALL PROJECT**

- Whereas,** there is a need for a retaining wall along a portion of Crains Run Road to improve the site visibility for motorists; and
- Whereas,** a competitive bid process was conducted by Jones Warner Consultants, Inc., to solicit sealed bids for the construction of the retaining wall; and
- Whereas,** Evans Landscaping was the lowest and best bidder for the retaining wall project; and
- Whereas,** references have been checked for Evans Landscaping with all recommendations being favorable; and

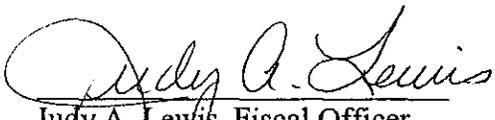
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract agreement with Evans Landscaping, 3700 Roundbottom Road, Cincinnati, Ohio, 45244, for construction services at a total estimated cost of \$27,736.25, and to execute all the necessary documents to secure these services.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


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

RESOLUTION #144-2010

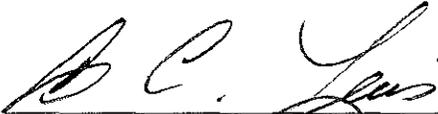
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

Whereas, Keith Lainhart has been a part-time firefighter/EMT since July 13, 2010;
and

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

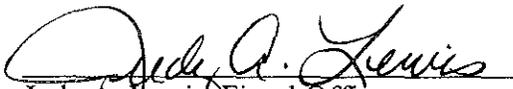
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Keith Lainhart and termination of his employment is effective September 28, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 28, 2010
GSR:mrm

RESOLUTION #145-2010

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

Whereas, Wayne Sagraves has been a part-time firefighter/EMT since August 24, 2010; and

Whereas, Wayne has decided to resign his position with the fire division due to the time commitments with other departments and college; and

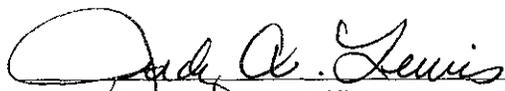
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Wayne Sagraves, and termination of his employment is effective September 28, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed September 28, 2010
GSR:mrm

RESOLUTION #146-2010

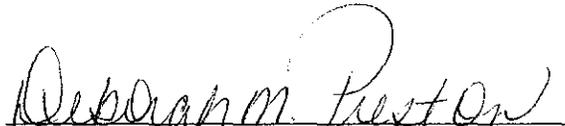
**RESOLUTION TO DECLARE CERTAIN FIRE DEPARTMENT
EQUIPMENT AS SURPLUS PROPERTY TO BE DISPOSED OF**

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 Department has articles or equipment which are no longer needed, or are broken and/or worn out 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.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed September 28, 2010
GSR:mrm

RESOLUTION #147-2010

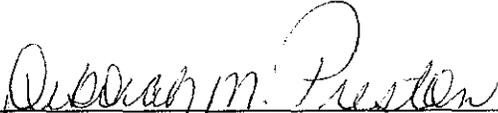
RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN FOR ZONING CASE #296-96, FOR LANDS ZONED "PD-1", PLANNED RESIDENTIAL

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, September 28, 2010; and

Whereas, Zoning Case #296-96, filed by William E. and Leslie D. Bates., proposes adoption of a major modification to the final development plan 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 the Final Development Plan under Zoning Case #296-96 and ACCEPTS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 28, 2010
GSR:mrm

RESOLUTION #148-2010

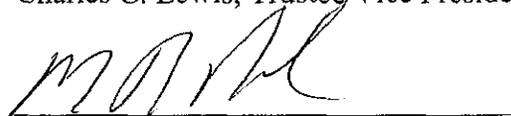
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER
FOR THE PAYMENT OF A PURCHASE FROM MONTGOMERY
COUNTY**

- 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 services before said goods and 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,** the Miami Township Police Department has an obligation to pay for the purchase of radio batteries provided by Montgomery County during the month of September 2010; and

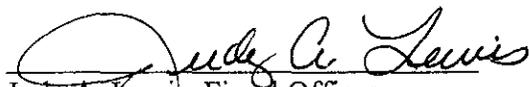
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time the batteries were purchased, and on the date the invoice was received, the amount of \$528.00 to pay for the purchase of batteries, was appropriated for paying for the batteries, and is in the treasury, or in the process of collection to the credit of the Miami Township Police Department, free of any commitments or encumbrances.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 28, 2010
GSR:mrm

RESOLUTION #149-2010

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

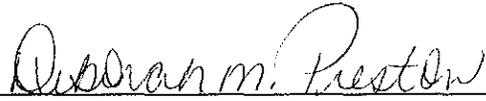
Whereas, the Board of Trustees of Miami Township, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2010; and

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

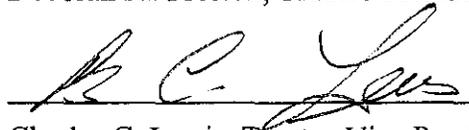
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

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.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 28, 2010

GSR:mrm

RESOLUTION #150-2010

**RESOLUTION TO AUTHORIZE APPLICATION FOR FUNDS
THROUGH THE NEW FREEDOM GRANT PROGRAM &
COMMITMENT OF LOCAL MATCHING FUNDS**

Whereas, the Miami Valley Regional Planning Commission, administers financial assistance for new public transportation services and public transportation alternatives for people with disabilities, through the New Freedom Grant Program; and

Whereas, the Board desires financial assistance under the New Freedom Grant Program; and

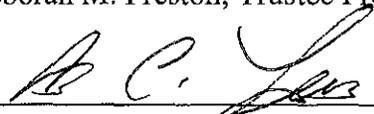
Therefore Be It Resolved, by the Board of Trustees of Miami Township that:

Section 1. the Miami Township Board of Trustees authorizes the Township Administrator to execute and file an application with the Miami Valley Regional Planning Commission and to provide all information and documentation required to become eligible for funding assistance; and

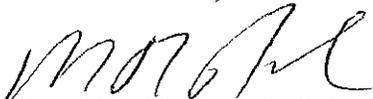
Section 2. the Board commits to providing the required 20% local match as required by the New Freedom grant program.



Deborah M. Preston, Trustee President

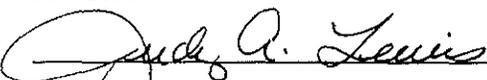


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 28, 2010
GSR:seb

RESOLUTION #151-2010

**RESOLUTION TO RESCIND RESOLUTION #130-2010,
WHICH AUTHORIZED AN AMENDMENT TO THE ENTERPRISE
ZONE AGREEMENT WITH BRIXEY & MEYER, INC**

Whereas, the Miami Township Board of Trustees approved Resolution #130-2010 on September 3, 2010, approving an amendment to the Enterprise Zone Agreement with Brixey & Meyer, Inc; and

Whereas, the signature page of the amendment was incorrect and should have included the approval of the following three parties: Miami Township Board of Trustees, Board of County Commissioners of Montgomery County, Ohio and Brixey & Meyer, Inc.; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby rescinds Resolution #130-2010, which authorized an amendment to the Enterprise Zone Agreement with Brixey & Meyer, Inc.



Deborah M. Preston, Trustee President

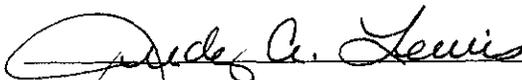


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 28, 2010

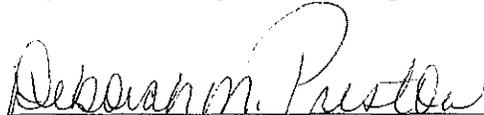
GSR:sld

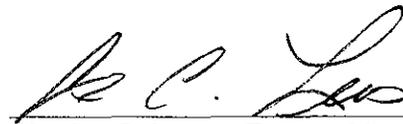
RESOLUTION 152-2010

RESOLUTION TO APPROVE AN AMENDMENT TO THE ENTERPRISE ZONE AGREEMENT WITH BRIXEY & MEYER, INC.

- Whereas,** the Board of Trustees passed Resolution #45-2009 on March 24, 2009 to approve an Enterprise Zone Agreement with Brixey & Meyer, Inc.; and
- Whereas,** Brixey & Meyer, Inc. deferred the project to construct a new 12,000 square foot multi-tenant masonry office/warehouse building due to the economic climate in 2009; and
- Whereas,** Brixey & Meyer, Inc. is now desirous of proceeding with the project of establishing a new facility to create employment opportunities with incentives available for the development of the project in said Enterprise Zone Agreement; and
- Whereas,** Section 1 of the Enterprise Zone Agreement provides any changes to the beginning and completion dates must be agreed to by formal resolution and an amended agreement; and
- Whereas,** an amendment to the Enterprise Zone Agreement with Brixey & Meyer, Inc. was prepared by legal counsel, Exhibit A; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby approves an amendment for the Brixey & Meyer Inc. Enterprise Zone Agreement.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 28, 2010
GSR:sld

RESOLUTION #153-2010

**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 four (4)-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 \$77,892.09, effective October 1, 2010;

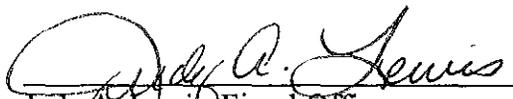
Further More Be It Resolved, the Miami Township Board of Trustees authorizes an incentive package that is outlined in Attachment 1.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 12, 2010
GAH:seb

RESOLUTION #154-2010

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

Whereas, David Gould has been a part-time firefighter/Medic since February 5, 2004; and

Whereas, David has decided to resign his position with the fire division due to obtaining a full-time position with Kettering Medical Center; and

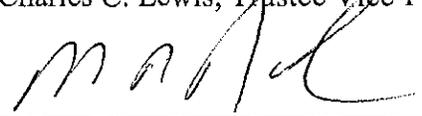
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from David Gould, and termination of his employment is effective October 26, 2010.



Deborah M. Preston, Trustee President

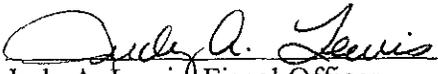


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 26, 2010
GSR:mrm

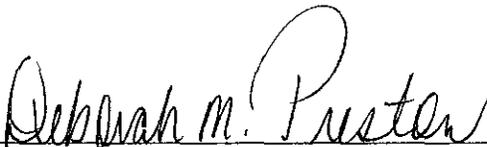
RESOLUTION #155-2010

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

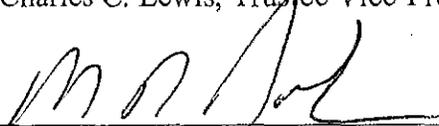
Whereas, Matthew Buschur has been a part-time firefighter/Medic since May 27, 2008; and

Whereas, Matthew has decided to resign his position with the fire division due to a career opportunity with the Washington DC Fire Department; and

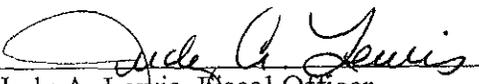
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Matthew Buschur, and termination of his employment is effective October 26, 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 26, 2010
GSR:mrm

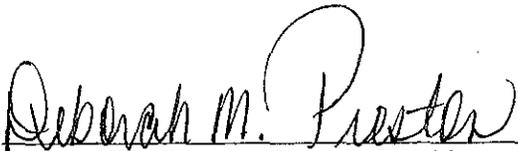
RESOLUTION #156-2010

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

Whereas, David Schmaltz has been a Deputy Fire Chief since February 28, 2005;
and

Whereas, David Schmaltz has decided to resign his position with the fire division to
pursue a fire chief's position with the Defiance Fire Department in
northern Ohio; and

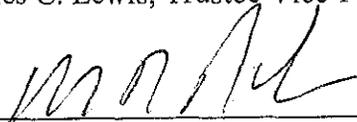
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation from David Schmaltz, and termination of his employment is
effective December 3, 2010.



Deborah M. Preston, Trustee President

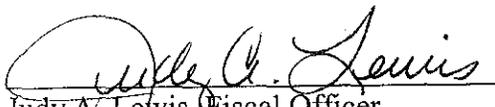


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 26, 2010
GSR:mrm

RESOLUTION #157-2010

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 7624 Katy Dr., Dayton, Ohio, 45459, 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 October 26, 2010; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on October 26, 2010, 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

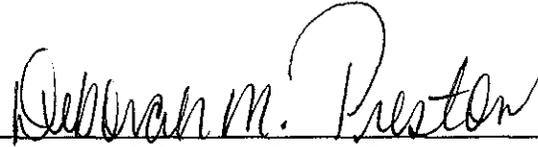
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of 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:

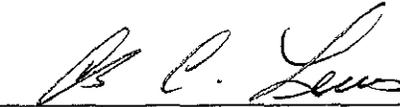
7624 Katy Drive
Parcel ID #K45-18709-0008
GMAC Mortgage LLC
1100 Virginia Drive
P.O. Box 8300
Fort Washington, PA 19034

Mortgage Company

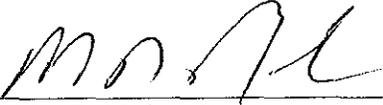
SIGNATURE PAGE FOR RESOLUTION #157-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 26, 2010

GSR:mrm

RESOLUTION #158-2010

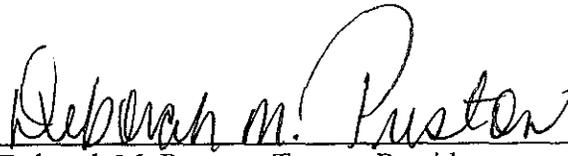
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO A
PRELIMINARY DEVELOPMENT PLAN FOR ZONING CASE #233-89,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 26, 2010; and

Whereas, Zoning Case #233-89, filed by JAW Holdings LLC, proposes adoption of a major modification to a preliminary development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

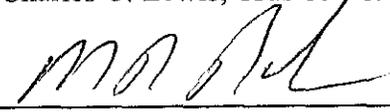
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan for Zoning Case #233-89 and UPHOLDS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

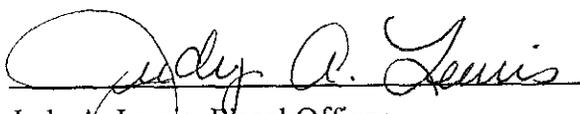


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 26, 2010
GSR:mrm

RESOLUTION #159-2010

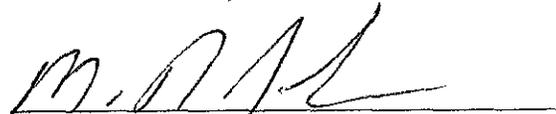
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A MAINTENANCE AGREEMENT WITH WYCOM**

- 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 2011; and

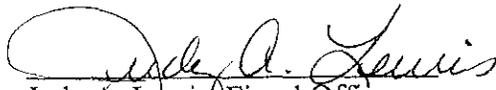
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, to enter into an agreement with Wycom for the maintenance of the check signer, effective immediately.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 26, 2010
GSR:seb

RESOLUTION #160-2010

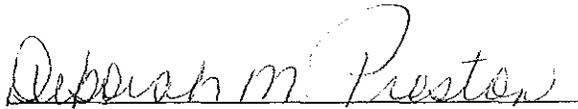
RESOLUTION TO AUTHORIZE THE TRANSFER OF AN EMPLOYEE'S TOWNSHIP SERVICE TIME, FOR THE PURPOSE OF CALCULATING VACATION LEAVE FOR A FIRE DEPARTMENT EMPLOYEE

Whereas, the Ohio Revised Code permits the transfer of prior township service time for the purpose of calculating vacation time; and

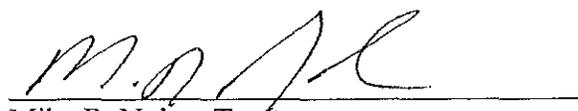
Whereas, the Fire Chief has made a request consistent with Board policy recognition of prior, part time service time for the purpose of calculating vacation time; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the transfer of prior service time for the purpose of calculating vacation time.

<u>Name</u>	<u>Added Service Time</u>
Joshua Thomas	3 years, 7 months, 27 days


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 9, 2010
GSR:seb

RESOLUTION #161-2010

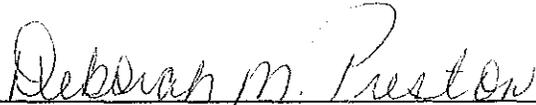
RESOLUTION TO CHANGE A ZONING DISTRICT

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, November 9, 2010; and

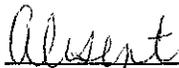
Whereas, Zoning Case #402-10, filed by William D. Cook TR, proposes a change of zoning district from the "B-2" Business and "R-7" Multiple Family Residential District to the "R-4" Single Family Residential District; and

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

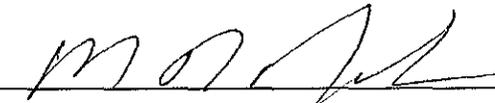
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES Zoning Case #402-10 and ACCEPTS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 9, 2010
GSR:seb

RESOLUTION #162-2010

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

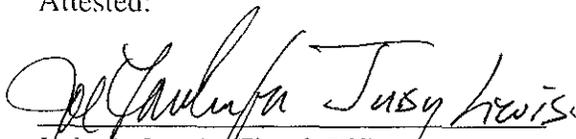
- Whereas,** Optivus intends to construct a 40,000 square foot research and development facility on 4.7 acres of land in Miami Township; and
- Whereas,** Optivus provides the opportunity to create 78 full time jobs that are new to Montgomery County; and
- Whereas,** Optivus, Inc. has committed \$15.7 million construction cost; and
- Whereas,** there is a need for assistance with infrastructure improvements in support of the \$15.7 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 of \$300,000 for the Fall 2010 ED/GE funding cycle.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 9, 2010
GSR:seb

RESOLUTION #163-2010

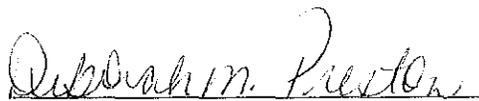
**RESOLUTION TO APPROVE A PAY INCREASE FOR
A PARKS DEPARTMENT SUPERVISOR**

Whereas, Rex Gore has successfully served four (4) 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 \$60,216.00, effective November 28, 2010.



Deborah M. Preston, Trustee President

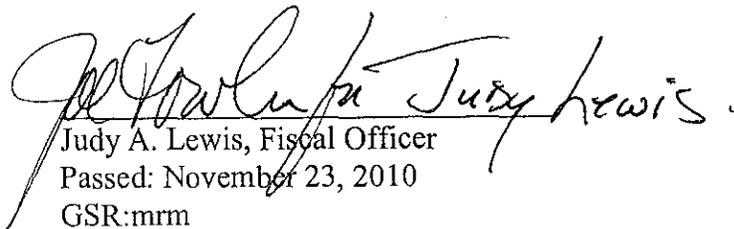


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 23, 2010
GSR:mrm

RESOLUTION # 164-2010

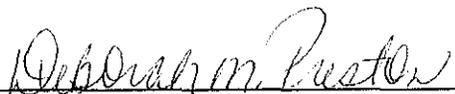
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
PRELIMINARY DEVELOPMENT PLAN FOR ZONING CASE #222-88,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, November 23, 2010; and

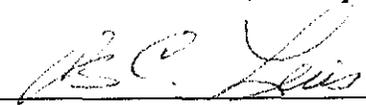
Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a major modification to the preliminary development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

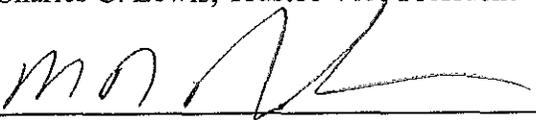
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan under Zoning Case #222-88 and ACCEPTS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

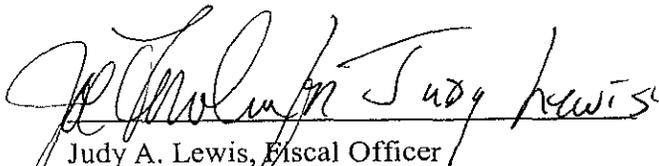


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 23, 2010
GSR:mrm

RESOLUTION #165-2010

RESOLUTION TO APPROVE AN AMMENDMENT TO A LETTER OF INTENT TO RETIRE FROM A PLANNING & ZONING EMPLOYEE

Whereas, the Board of Trustees passed Resolution #117-2010 on August 24, 2010 to accept a letter of intent to retire for Theresa Smith; and

Whereas, Theresa Smith has been an Administrative Assistant with the Planning & Zoning Department since December 27, 2000; and

Whereas, Theresa Smith, after ten (10) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Theresa Smith is now desirous of changing her retirement date from Monday, January 3, 2011 to Friday, December 31, 2010; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby approves an amendment for the letter of intent from Theresa Smith, and termination of her employment to be effective at 5:00 pm on Friday, December 31, 2010.



Deborah M. Preston, Trustee President

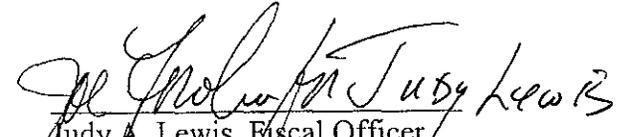


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 23, 2010

GSR:mrm

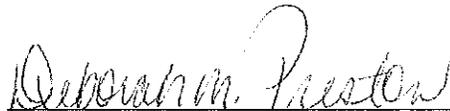
RESOLUTION #166-2010

**RESOLUTION TO HIRE COLE + RUSSELL ARCHITECTS TO START
THE BIDDING PROCESS FOR THE CONSTRUCTION OF A NEW FIRE
STATION FACILITY**

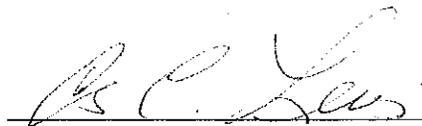
Whereas. the Board of Trustees passed Resolution #66-2010 on May 11, 2010 authorizing the hiring of Cole + Russell Architects Inc. for the design and engineering services for the construction of a fire station; and

Whereas, Cole + Russell Architects, Inc. was determined to be the best suited firm to execute the bidding process of the new fire station facility; and

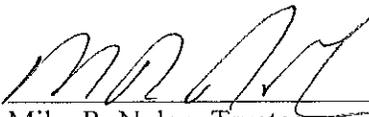
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all the necessary documents to enter into a contract with Cole + Russell Architects, Inc. to begin the bidding process for the construction of a new fire station.



Deborah M. Preston, Trustee President

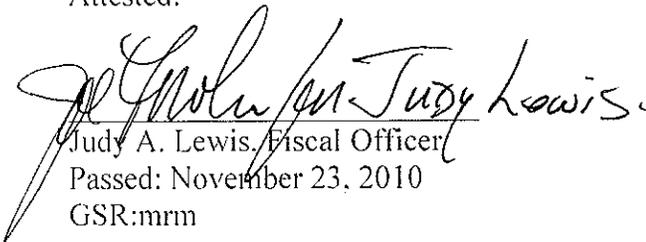


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: November 23, 2010
GSR:mrm

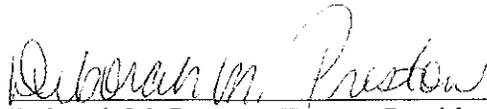
RESOLUTION #167-2010

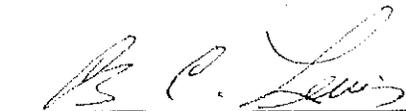
RESOLUTION TO ACKNOWLEDGE 27 PAY PERIODS FOR 2010

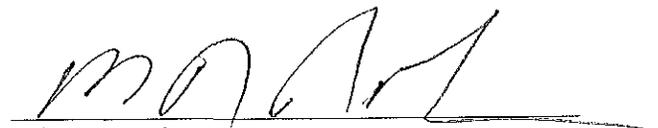
Whereas, 2010 includes 27 pay periods; and

Whereas, the Board of Trustees needs to take the appropriate action to acknowledge and approve 27 pay periods for 2010; and

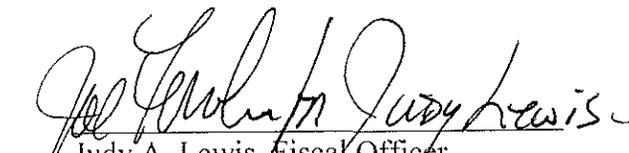
Therefore Be It Resolved, the Miami Township Board of Trustees acknowledges and approves the 27th pay period for 2010.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 23
GAH:mrm

RESOLUTION #169-2010

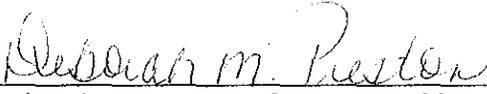
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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

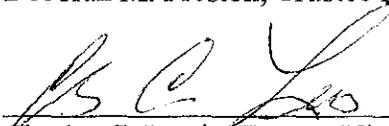
Whereas, Matthew Queen, Fire Chief, is making his recommendation to hire the following individuals as a part-time employee:

Jerry Borders Grade S-1 \$11.96 / per hour

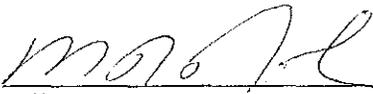
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined by the Fire Division, effective December 14, 2010.



Deborah M. Preston, Trustee President

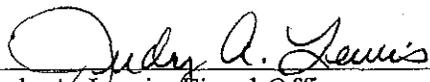


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



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

RESOLUTION #170-2010

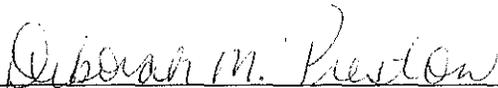
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

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:

David "Michael" Plowman Grade S-1 \$11.96 / 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 December 14, 2010.



Deborah M. Preston, Trustee President

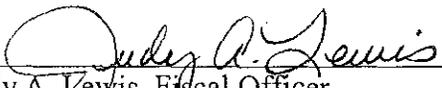


Charles C. Lewis, Trustee Vice-President



Mike R. Nolan, Trustee

Attested:



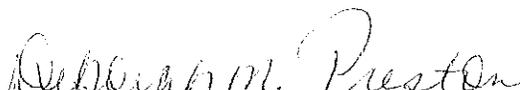
Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:mrm

RESOLUTION #171-2010

**RESOLUTION TO CHANGE THE STATUS
OF A PART-TIME FIRE FIGHTER/PARAMEDIC**

Be It Resolved,

that the Board of Trustees approves the medical separation of Amy McAllister effective 12/10/2010.



Deborah M. Preston, Trustee President

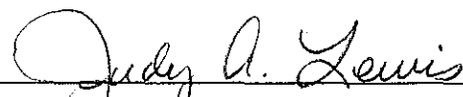


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #172-2010

**RESOLUTION TO ACCEPT THE DISABILITY RETIREMENT OF A
POLICE OFFICER**

Whereas, Officer Daniel R. Hovey has been an employee of the Miami Township Police Department since October 24, 1989; and

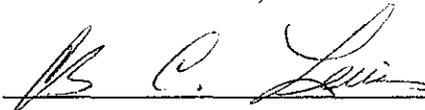
Whereas, Officer Daniel R. Hovey was approved for a disability retirement from the Ohio Public Employee's Retirement System on November 17, 2010; and

Whereas, Officer Daniel R. Hovey has elected to make his disability retirement effective at the close of business on November 30, 2010 and use accrued leave time until November 30, 2010; and

Therefore Be It Resolved, the Miami Township Board of Trustees accept the decision of the Ohio Public Employee's Retirement System and approves the disability retirement of Officer Daniel R. Hovey and the termination of his employment with Miami Township effective at the close of business on November 30, 2010.



Deborah M. Preston, Trustee President

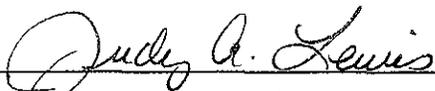


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 14, 2010

GSR:seb

RESOLUTION #173-2010

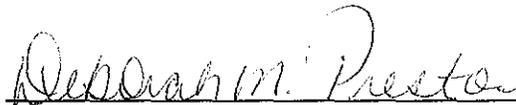
**RESOLUTION TO ACCEPT THE DISABILITY RETIREMENT OF A
POLICE OFFICER**

Whereas, Officer Michael R. Knierim has been an employee of the Miami Township Police Department since May 21, 2001; and

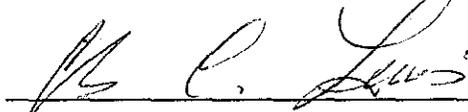
Whereas, Officer Michael Knierim was approved for a disability retirement from the Ohio Public Employee's Retirement System on November 17, 2010; and

Whereas, Officer Michael R. Knierim, was in a non-pay status when the Ohio Public Employee's Retirement System approved his disability retirement; and

Therefore Be It Resolved, the Miami Township Board of Trustees accept the decision of the Ohio Public Employee's Retirement System and approves the disability retirement of Officer Michael Knierim and the termination of his employment with Miami Township effective at the close of business on November 17, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #174-2010

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO FILE AN APPLICATION TO THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, TO SUPPORT AN APPLICATION FOR ASSISTANCE UNDER THE OHIO 629 ROADWORK DEVELOPMENT GRANT

Whereas, the State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of developing sites for future economic development opportunities; and

Whereas, the Board desires to participate by receiving financial assistance for the Austin Advanced Technology Research Park under the Ohio 629 Roadwork Development Program; and

Whereas, the Board has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Department of Development, through its Ohio 629 Roadwork Development Grant; and

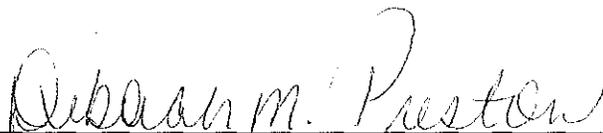
Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that:

Section 1. the Miami Township Board of Trustees authorizes the Township Administrator to file an application, effective November 1, 2010, to participate in the State of Ohio, Department of Development's, 629 Roadwork Development Grant program, and provide all information and documentation required in the application for submission; and

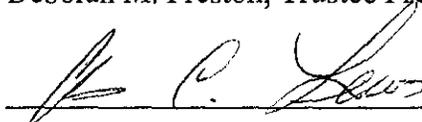
Section 2. the Miami Township Board of Trustees hereby understands and agrees that participation in the program will require compliance with program guidelines and assurances; and

Section 3. the Miami Township Board of Trustees hereby commits itself to provide the relevant portions of the required local match investment, as indicated in the application.

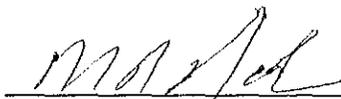
SIGNATURE PAGE FOR RESOLUTION #174-2010 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 14, 2010

GSR:seb

RESOLUTION #175-2010

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
RETAIL 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, December 14, 2010; and

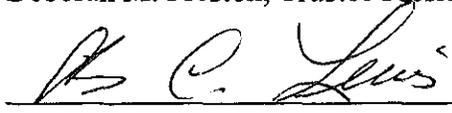
Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a final development plan for a retail building for lands zoned "PD-5", Planned Mixed-Use; and

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

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



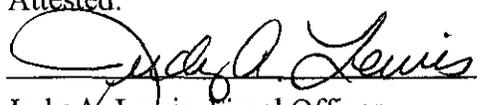
Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #176-2010

**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, December 14, 2010; and

Whereas, Zoning Case #222-88, filed by Schnippel Construction, Inc., proposes adoption of a final development plan for a hospitality 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 APPROVES the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

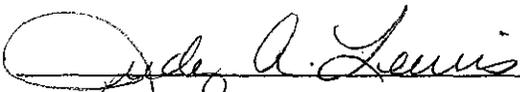


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #177-2010

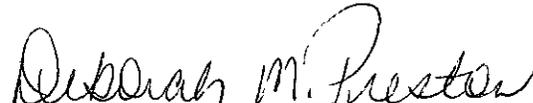
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A
PARKING STRUCTURE UNDER ZONING CASE #222-88, FOR LANDS
ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, December 14, 2010; and

Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a final development plan for a parking structure for lands zoned "PD-5", Planned Mixed-Use; and

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

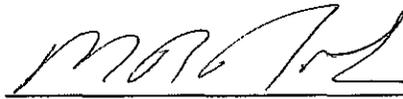
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan under Zoning Case #222-88 and ACCEPTS the Zoning Commission recommendation. with modifications
with the additional
commission comments



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #178-2010

**RESOLUTION TO CHANGE A ZONING DISTRICT & ADOPT A
FINAL DEVELOPMENT PLAN FOR ZONING CASE #403-10**

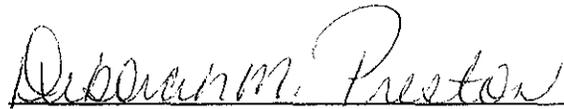
Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, December 14, 2010; and

Whereas, Zoning Case #403-10, filed by Auto Land Ltd, proposes a change of zoning district from the "B-4" Business District to the "PD-5" Planned Mixed-Use District and adoption of a final development plan; and

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

Whereas, the Trustees have made certain Findings of Fact based upon the evidence presented; and

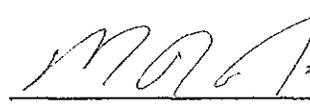
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES Zoning Case #403-10 and the Final Development Plan and ACCEPTS the Zoning Commission recommendation for Zoning Case #403-10.



Deborah M. Preston, Trustee President

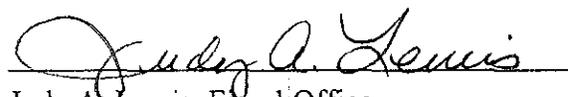


Charles C. Lewis, Trustee Vice President



Mike R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #179-2010

**RESOLUTION AUTHORIZING THE CONTINUANCE OF A
TEMPORARY PART-TIME ADMINISTRATIVE ASSISTANT I FOR THE
DIVISION OF FIRE/EMS**

Whereas, the Board of Trustees passed Resolution 08-2009 on January 27, 2009; and upon review it was noted that the original resolution did not have the required termination date and required an amendment to the resolution; and

Whereas, the Board of the Trustees passed Resolution on October 27, 2009 amending the earlier resolution an applying a termination date to it; and

Whereas, it has been determined there is still a need for a temporary part-time Fire Administrative Assistant I within the Division of Fire and EMS; and

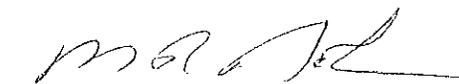
Whereas, Fire Chief Matthew Queen is making his recommendation; and

Whereas, an offer to continue temporary employment has been made to and accepted by Rosie Stevens; and

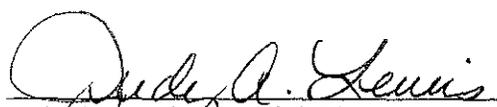
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Rosie Stevens, at an hourly rate of \$13.80, Pay Grade PT7, effective December 14, 2010 and terminating no later than June 18, 2011.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


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

RESOLUTION #180-2010

RESOLUTION TO AUTHORIZE THE EXECUTION OF THE SECOND YEAR OPTION FOR TRASH COLLECTION SERVICES

Whereas, on January, 2007 the Miami Township entered into an agreement with Waste Management for the purposes of supplying refuse and recycling services to the Township residents; and

Whereas, the agreement was for a three-year term with three, one-year options to renew; and

Whereas, on December 14, 2010 at a regularly scheduled meeting of the Miami Township Board of Trustees, Waste Management's extension options were presented to the Board of Trustees as referred to in Exhibit A; and

Whereas, Exhibit A reflects no increase in fees; and

Whereas, the yard waste program will remain the same as the program for 2010 with a 96 gallon wheeled container for yard waste, with a pricing structure of \$11.50 per month, with weekly service and container rental or a pay-as-go program that has a cost of \$6.50 per pre-scheduled pick-up; and

Therefore Be It Resolved, the Miami Township Board of Trustee authorizes the Township Administrator to enter into an extension and execute the necessary documents for the period of one (1) year with Waste Management, with an expiration date of December 31, 2011.

Section 1. All terms and conditions of the agreement entered into prior to this extension are in full effect unless stated otherwise in Exhibit A.

Section 2. It is understood and agreed that the relationship of the parties shall be one of purchaser and independent contractor, and no agency or employer/employee relationship is hereby created. This agreement shall be governed in all respects by the laws of the State of Ohio. This agreement shall be binding on the Parties, their successors and assigns, except that the Contractor may not assign this contract or any part thereof without written consent of the Township. This agreement may be amended only by subsequent written agreement executed by both parties.

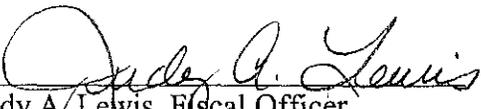
SIGNATURE PAGE ONLY FOR RESOLUTION #180-2010


Deborah M. Preston Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


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

RESOLUTION #181-2010

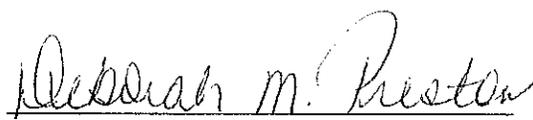
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH
BUSINESSFIRST**

Whereas, Miami Township desires to participate in a region-wide economic development initiative called the "BusinessFirst! Program"; and

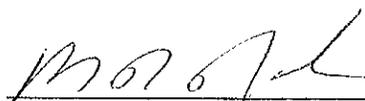
Whereas, Miami Township is authorized by the Ohio Revised Code to secure an intergovernmental agreement; and

Whereas, Miami Township is satisfied that The Program will provide support in business expansion and success; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement for participation in the BusinessFirst Program Beginning January 1, 2011 through December 31, 2015.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


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

RESOLUTION #182-2010

**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 regular 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 immediately; and

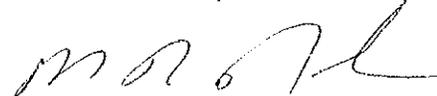
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Dennis Smith, and termination of his appointment as a regular member is effective December 14, 2010.



Deborah M. Preston, Trustee President

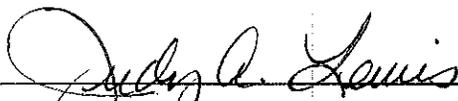


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 14, 2010

GSR:seb

RESOLUTION #183-2010

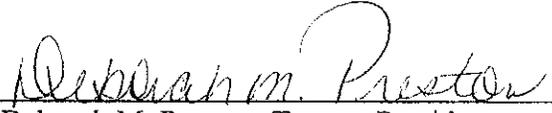
**RESOLUTION TO REAPPOINT A
ZONING COMMISSION MEMBER**

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

Whereas, Kathleen Rosenberg's term of office expires December 31, 2010; and

Whereas, Ms. Rosenberg has expressed a desire to continue to serve on the commission;
and

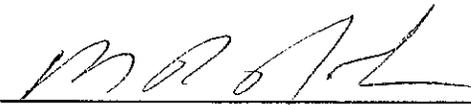
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Kathleen Rosenberg to serve on the Zoning Commission effective December 31, 2010 for a term of five (5) years ending on December 31, 2015.



Deborah M. Preston, Trustee President

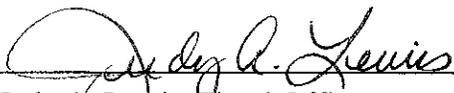


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #184-2010

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

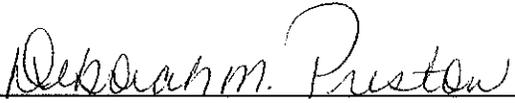
Whereas, the Zoning Commission is made up of five regular members and one alternate;
and

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

Whereas, Eric Halter currently serves as the alternate member on the Zoning Commission;
and

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

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Eric Halter to serve on the Zoning Commission as a regular member, terminating his appointment as an alternate member, for the remainder of Dennis Smith's unexpired term of office, ending December 31, 2014, effective December 31, 2010.



Deborah M. Preston, Trustee President

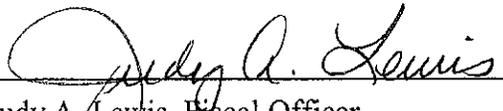


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #185-2010

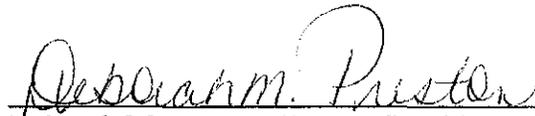
**RESOLUTION TO APPOINT A NEW
ZONING COMMISSION MEMBER**

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

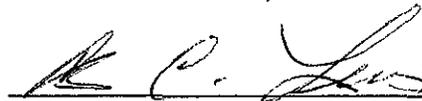
Whereas, there is a need to fill the alternate position formerly held by Eric Halter; and

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

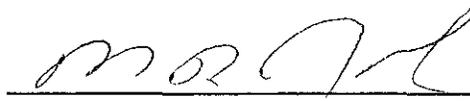
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Dennis Smith to
serve on the Zoning Commission effective December 31, 2010 as an alternate
member for a term of one (1) year ending on December 31, 2011.



Deborah M. Preston, Trustee President

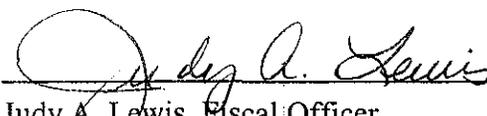


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #186-2010

**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, there is a need to fill the regular position formerly held by Jeffery Ross; and

Whereas, Brent Anslinger currently serves as the alternate member on the Board of Zoning Appeals; 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 Brent Anslinger to serve on the Board of Zoning Appeals as a regular member, terminating his appointment as an alternate member, for the remainder of Jeffery Ross' unexpired term of office, ending December 31, 2014, effective December 31, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #187-2010

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

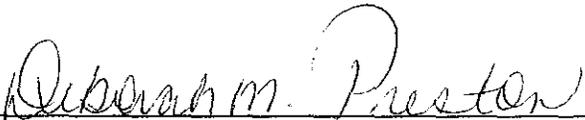
Whereas, the Board of Zoning Appeals is made up of five members and one alternate;
and

Whereas, Ann-Lisa Rucker's term expires on December 31, 2010; and

Whereas, Ms. Rucker has expressed an interest to continue 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 reappoints Ann-Lisa Rucker to the Board of Zoning Appeals as a regular member, with a term ending December 31, 2015, effective December 31, 2010.



Deborah M. Preston, Trustee President

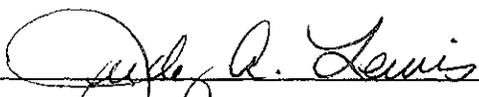


Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GSR:seb

RESOLUTION #188-2010

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

Whereas, Jeffery Ross has served on the Miami Township Board of Zoning Appeals since December 23, 2008; and

Whereas, Jeffery Ross has given notice that he will resign his position, effective November 18, 2010; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Jeffery Ross, and termination of his appointment on the Miami Township Board of Zoning Appeals is effective November 18, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



Michael R. Nolan, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 14, 2010

GSR:seb

RESOLUTION #189-2010

RESOLUTION TO ENTER INTO A CONTRACT FOR CABLE AND INTERNET SERVICES

Whereas, the Miami Township Board of Trustees desires to enter into an agreement for internet and cable services; and

Whereas, the Montgomery County Prosecutor has approved the Time Warner Cable Business Class agreement as to form and content; and

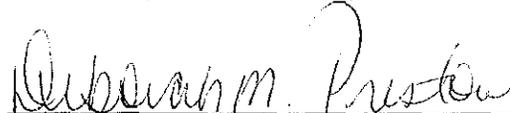
Whereas, the Human Resources Director is recommending that Time Warner Cable Business Class provide the services; and

Whereas, the breakdown of department related costs are as follows:

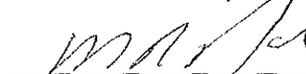
Department	Monthly Charge	One Time Only	Contract Time
Administration Campus	315.05	150	3 Years
Public Works	199.95	150	1 Year
Fire Station 48	199.95	150	1 Year
Fire Station 49	199.95	150	1 year
Total	\$914.90	\$600.00	

Whereas, the contracts per location will begin no later than 5/11/2011; and

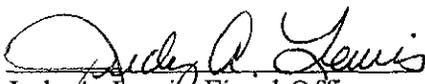
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, or his designee, to execute the necessary agreement to secure cable and internet services with Time Warner Cable Business Class.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GAH:seb

RESOLUTION #190-2010

**RESOLUTION TO APPROVE A ONE-TIME EMPLOYEE INCENTIVE
PAY**

Whereas, the Miami Township Board of Trustees promotes sound fiscal management on the part of all Township employees; and

Whereas, the employees of Miami Township have demonstrated strong fiscal management in 2010 and their performance has resulted in expenditures, in general, being less than the budgeted amounts; and

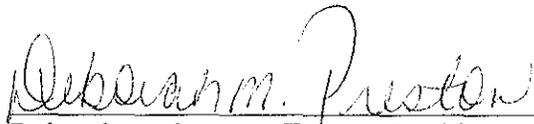
Whereas, the Miami Township Board of Trustees desires to reward the strong fiscal management of Township employees with a one-time incentive pay; and

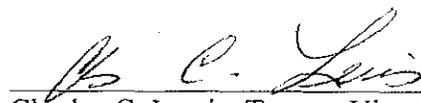
Therefore Be It Resolved, the Miami Township Board of Trustees will include the following one-time incentive pay for all non-contractual Township full and part-time employees as follows:

Full-time \$250.00

Part-time \$125.00

Therefore Be IT Further Resolved, the one-time incentive pay will be included as part of the December 31, 2010 payroll and shall be subject to all payroll taxes and deductions as required by law.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


Mike R. Nolan, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 14, 2010
GAH:mmm