

RESOLUTION #1-2009

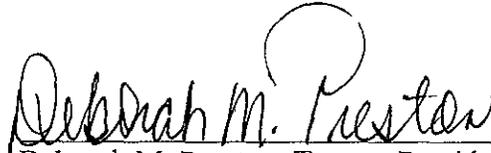
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE AN
AGREEMENT WITH MONTGOMERY COUNTY RECORDS
COMMISSION AND MICROFILMING BOARD**

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, 2009 through December 31, 2009.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: January 13, 2009

GSR:bph

RESOLUTION #2-2009

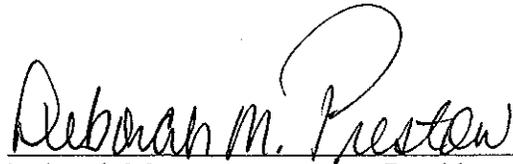
RESOLUTION TO AUTHORIZE PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM

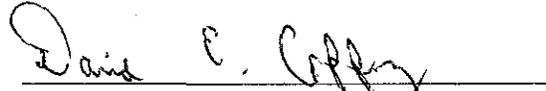
Whereas, Section 5513.01 (B) of the Ohio Revised Code authorizes local government agencies to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies or other articles; and

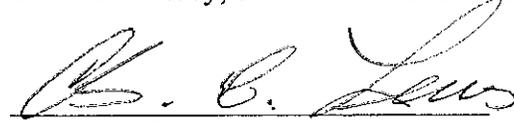
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the following:

- 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).

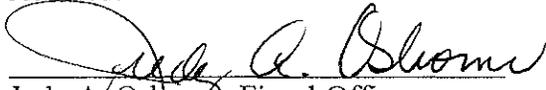
SIGNATURE PAGE FOR RESOLUTION #2-2009 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 13, 2009
GSR:bph

RESOLUTION #3-2009

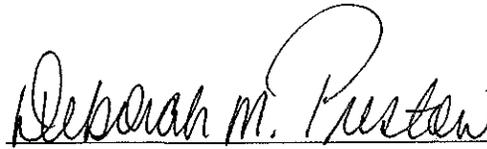
RESOLUTION TO APPOINT A POLICE OFFICER

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

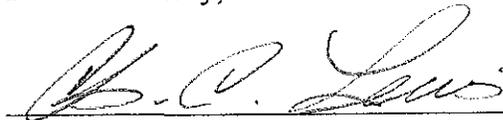
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Shawn E. Todd to the position of Police Officer, at a starting rate of \$21.53 per hour, effective January 20, 2009.



Deborah M. Preston, Trustee President

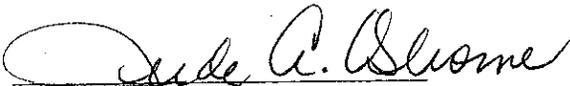


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 13, 2009
GSR:bph

RESOLUTION #4-2009

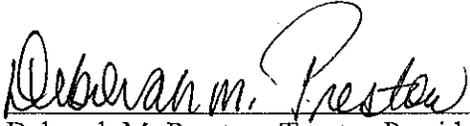
RESOLUTION TO APPOINT A POLICE OFFICER

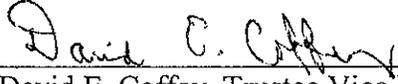
Whereas, there is a need to appoint a Police Officer; and

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

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

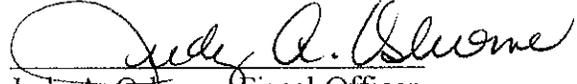
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Christopher W. Hatley to the position of Police Officer, at a starting rate of \$22.32 per hour, effective January 20, 2009.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 13, 2009
GSR:bph

RESOLUTION #5-2009

RESOLUTION TO APPROVE A PAY INCREASE FOR A PLANNER

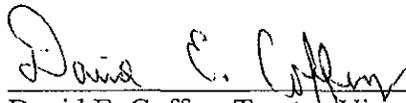
Whereas, Kyle Hinkelman has successfully served one (1) year as a Planner for the Planning & Zoning Department; and

Whereas, a performance evaluation has been completed by the Assistant Planning Director, and an evaluation and recommendation has been completed; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Kyle Hinkelman, to Pay Grade 2, Step 3, to \$20.65 per hour, effective January 7, 2009.



Deborah M. Preston, Trustee President

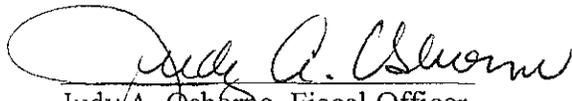


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 13, 2009
GSR:bph

RESOLUTION #6-2009

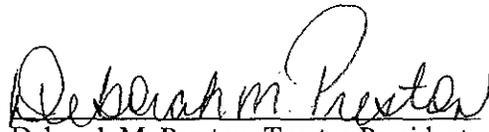
**RESOLUTION TO APPROVE A PAY INCREASE FOR
A STREET SUPERVISOR**

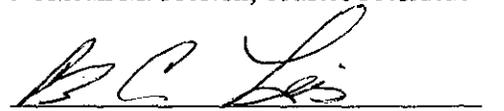
Whereas, Ron Robinson has successfully served two (2) years as Street Supervisor for the Public Works Department; and

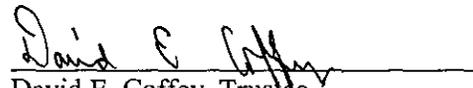
Whereas, a performance evaluation has been conducted by the Public Works Director, and an evaluation and recommendation has been completed; and

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

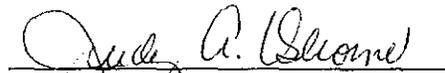
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Ron Robinson, Pay Grade E, to an annual rate of pay of \$57,024.06, effective February 04, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 27, 2009
GSR:bph

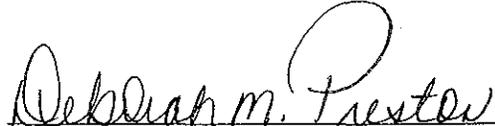
RESOLUTION #7-2009

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

Whereas, Megan Whitlock has been a part-time Fire Administrative Assistant - I since August 13, 2008; and

Whereas, Megan Whitlock has submitted her resignation as a part-time Fire Administrative Assistant - I to pursue other interests; and

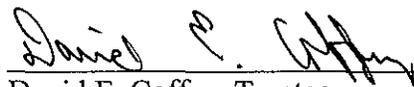
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Megan Whitlock, and termination of her employment is effective January 27, 2009.



Deborah M. Preston, Trustee President

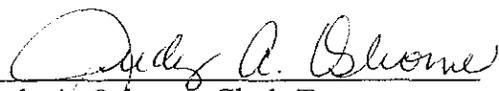


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Osborne, Clerk-Treasurer
Passed: January 27, 2009
GSR:bph

RESOLUTION #8-2009

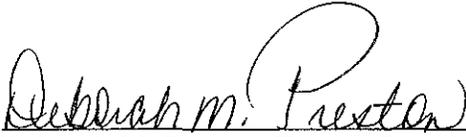
**RESOLUTION AUTHORIZING THE HIRING OF A TEMPORARY
PART-TIME FIRE ADMINISTRATIVE ASSISTANT I FOR THE
DIVISION OF FIRE/EMS**

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

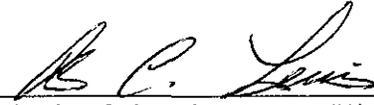
Whereas, Fire Chief David B. Fulmer is making his recommendation, and

Whereas, a offer of temporary employment has been made to and accepted by Rosie Stevens, and

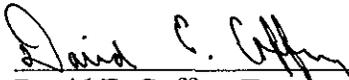
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Rosie Stevens, at an hourly rate of \$13.80, Pay Grade PT7, effective Monday, February 2, 2009.



Deborah M. Preston, Trustee President

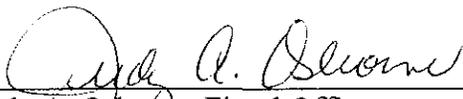


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



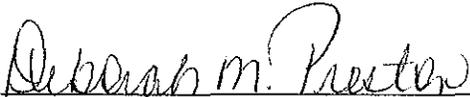
Judy A. Osborne, Fiscal Officer
Passed: January 27, 2009
GSR:bph

**AMENDMENT
TO RESOLUTION #008-2009**

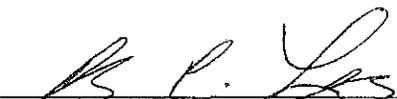
**RESOLUTION AUTHORIZING THE HIRING OF A TEMPORARY PART-
TIME FIRE ADMINISTRATIVE ASSISTANT I FOR THE DIVISION OF
FIRE/EMS**

- Whereas,** the Board of Trustees passed Resolution #008-2009 on January 27, 2009; and
- Whereas,** upon review it was noted that the original resolution did not have the required termination date and requires an amendment to the resolution; and
- Whereas,** the following amends Resolution #008-2009; and
- Whereas,** there is a need for a temporary part-time Fire Administrative Assistant I within the Division of Fire and EMS; and
- Whereas,** Fire Chief David B. Fulmer made his recommendation; and
- Whereas,** an offer of temporary employment was 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 Monday, February 2, 2009 and terminating no later than January 17, 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



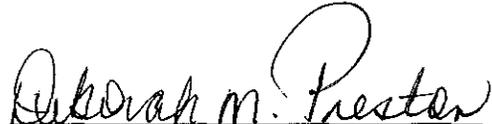
Judy A. Lewis, Fiscal Officer
Passed: October 27, 2009
GSR:sld

RESOLUTION #9-2009

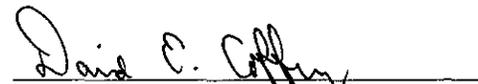
RESOLUTION TO CHANGE THE STATUS OF A FULL-TIME FIRE FIGHTER/PARAMEDIC

- Whereas,** Karen Basso, full-time regular Fire Fighter/Paramedic, has been medically deemed unable to perform essential functions of a Fire Fighter/Paramedic; and
- Whereas,** Karen Basso's prohibitive medical condition is non-work related; and
- Whereas,** FMLA has been appropriately applied to Karen Basso and she has exhausted the benefit of FMLA time; and
- Whereas,** Karen Basso has exhausted all accrued leave balances; and
- Whereas,** the Division of Fire & EMS, Human Resources, and legal counsel have recommended that Karen Basso be placed on 90 calendar days of unpaid leave; and
- Whereas,** Karen Basso's situation warrants issue-specific consideration and based upon that consideration, Fire, Human Resources, and legal counsel are recommending that Miami Township continue to pay the employer portion of the health insurance premium provided that Karen Basso continues to pay the employee portion of the health insurance premium, and
- Whereas,** pending appropriate medical documentation that returns Karen Basso to full duty without restrictions within the 90 calendar day period, Karen Basso's employment with Miami Township will be terminated based upon the medical facts that Karen Basso, due to non-work related medical conditions, cannot and is not expected to be able to perform the essential functions for the Fire Fighter/Paramedic position for which she was hired.
- Therefore Be It Resolved,** the Board of Trustees authorizes the placement of Karen Basso on unpaid leave starting January 23, 2009 and ending April 22, 2009, a period of 90 calendar days;
- Further Be It Resolved,** the Board of Trustees authorizes the Division of Fire & EMS to continue to pay the employer's portion of the health insurance premium as long as Karen Basso appropriate pays the employee's portion of the health insurance premium; and

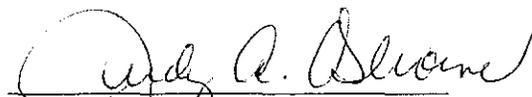
Lastly Be It Resolved, pending the receipt of qualified medical documentation that return Karen Basso to full-duty with medical restrictions for the position of Fire Fighter/Paramedic, on or after 5:00 pm, April 22, 2009, formal legislation terminating the employment of Karen Basso due to her inability to perform essential functions of a Fire Fighter/Paramedic will be passed.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 27, 2009
GSR:bph

RESOLUTION #10-2009

A RESOLUTION TO APPOINT AN INTERIM BOARD OF COMMISSIONERS TO PROVIDE A FRAMEWORK FOR THE CREATION OF A JOINT FIRE DISTRICT

- Whereas, Miami Township and the City of Miamisburg are dedicated to providing quality, efficient services to residents; and
- Whereas, the City and the Township are currently working jointly on other projects, including but not limited to, the Austin Road Interchange, Hillgrove Union Cemetery, and Consolidated Dispatch services; and
- Whereas, the City and the Township appointed a Steering Committee, made up of elected officials, staff and community members of both jurisdictions, to study ways of utilizing existing Fire/EMS resources to enhance service and efficiency through joint collaboration; and
- Whereas, the Steering Committee began meeting in August 2006 developing, *"The Charter for the Study of Collaboration Between the Fire Service Delivery Service Systems of The City of Miamisburg and Miami Township of Montgomery County, Ohio,"* identifying the necessity to maintain or improve the quality and range of services with the following considerations:
- Maintaining or improving service levels
 - Meeting current standards of performance
 - Establishing cooperative systems, programs, or operations to meet the future service demands, and to control or reduce costs; and
- Whereas, the Steering Committee appointed a subcommittee to further examine, in detail, the operations, assets, protocol, and all other items pertinent to the considerations outlined in *"The Charter for the Study of Collaboration Between the Fire Service Delivery Service Systems of the City of Miamisburg and Miami Township of Montgomery County, Ohio,"* and to report its findings / recommendations to the full Steering Committee; and
- Whereas, the culmination of twenty six (26) months of study and research of the Steering Committee, and its subcommittee, is summarized in the Fire Services Collaboration Subcommittee Report to The Steering Committee, authored by Fire Chief Robert L. Bobbit, Miamisburg Fire Division, and Fire Chief David B. Fulmer, Miami Township Division of Fire/EMS, with the assistance of Glenn E. Alexander, Steering Committee Coordinator, recommending the two

(2) jurisdictions pursue a merger of departments, in some fashion, as determined by further collaborative study; and

Whereas, the full Steering Committee met on January 10, 2008, resulting in a unanimous recommendation to the elected officials for both jurisdictions to merge the Fire Service Delivery Systems, in some fashion, to be determined by further collaborative study; and

Whereas, the full Steering Committee met on October 9, 2008 and after reviewing all options recommended that a joint fire district be formed.

Whereas, the City and the Township have developed the *By-laws of the Fire Commission of the Miamisburg and Miami Township Joint Fire District* and an *Agreement* establishing the terms and conditions upon which the entities would merge the two Fire Delivery Systems, in some fashion; and

Whereas, pursuant to Ohio Revised Code Section 505.371 permits a township and a municipality to form a Fire District: and

Whereas, the Miami Township Trustees wish to appoint an interim Commission to provide the structural framework prior to the formal creation of a Fire District Pursuant to Ohio Revised Code Section 505.371; and

Whereas, appointment of the Interim Board Commissioners representing the City of Miamisburg and the Miami Township Trustees is necessary to conduct further collaborative study that will result in a final recommendation to be considered for adoption by the full elected bodies of both jurisdictions; and

Whereas, the City of Miamisburg passed Resolution 2706 on Tuesday January 20, 2009 appointing the Interim Board of Commissioners; and

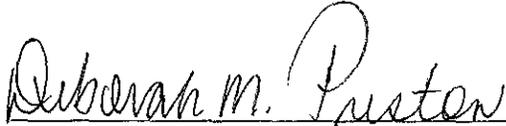
Whereas, this resolution along with Resolution 2706 will result in the creation of an Interim Board of Commissioners of the Miamisburg and Miami Township Joint Fire District with powers and duties that will be delineated below; and

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

Section 1. The Mayor, City Council and Miami Township Board of Trustees authorize further collaborative study to be overseen by an Interim Board of Commissioners consistent with the *(By-laws use of the Fire Commission of the Miamisburg and Miami Township Joint Fire District)* to fully and finally develop a proposal for merger of the two (2) Fire Service Delivery Systems with such recommendations to be considered for adoption by the full elected bodies of both jurisdictions.

Section 2.

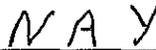
The Interim Board of Commissioners of the Fire Commission of the Miamisburg and Miami Township Joint Fire District is hereby authorized to oversee the work, study and development of recommendations for merger of the two (2) Fire Service Delivery Systems, including, but not limited to, the tasks outlined in Exhibit "A", attached hereto.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: January 27, 2009

GSR:bph

RESOLUTION #11-2009

RESOLUTION TO APPOINT BOARD MEMBERS TO AN INTERIM BOARD OF COMMISSIONERS TO PROVIDE A FRAMEWORK FOR THE CREATION OF A JOINT FIRE DISTRICT

- Whereas,** Miami Township and the City of Miamisburg are dedicated to providing quality, efficient services to residents; and
- Whereas,** the City and the Township are currently working jointly on other projects, including but not limited to, the Austin Road Interchange, Hillgrove Union Cemetery, and Consolidated Dispatch services; and
- Whereas,** the City and the Township appointed a Steering Committee, made up of elected officials, staff and community members of both jurisdictions, to study ways of utilizing existing Fire/EMS resources to enhance service and efficiency through joint collaboration; and
- Whereas,** the Steering Committee began meeting in August 2006 developing, "*The Charter for the Study of Collaboration Between the Fire Service Delivery Service Systems of The City of Miamisburg and Miami Township of Montgomery County, Ohio,*" identifying the necessity to maintain or improve the quality and range of services with the following considerations:
- Maintaining or improving service levels
 - Meeting current standards of performance
 - Establishing cooperative systems, programs, or operations to meet the future service demands, and to control or reduce costs; and
- Whereas,** the Steering Committee appointed a subcommittee to further examine, in detail, the operations, assets, protocol, and all other items pertinent to the considerations outlined in "*The Charter for the Study of Collaboration Between the Fire Service Delivery Service Systems of the City of Miamisburg and Miami Township of Montgomery County, Ohio,*" and to report its findings / recommendations to the full Steering Committee; and
- Whereas,** the culmination of twenty six (26) months of study and research of the Steering Committee, and its subcommittee, is summarized in the Fire Services Collaboration Subcommittee Report to The Steering Committee, authored by Fire Chief Robert L. Bobbit, Miamisburg Fire Division, and Fire Chief David B. Fulmer, Miami Township Division of Fire/EMS, with the assistance of Glenn E. Alexander, Steering Committee Coordinator, recommending the two

(2) jurisdictions pursue a merger of departments, in some fashion, as determined by further collaborative study; and

Whereas, the full Steering Committee met on January 10, 2008, resulting in a unanimous recommendation to the elected officials for both jurisdictions to merge the Fire Service Delivery Systems, in some fashion, to be determined by further collaborative study; and

Whereas, the full Steering Committee met on October 9, 2008 and after reviewing all options recommended that a joint fire district be formed.

Whereas, the City and the Township have developed the *By-laws of the Fire Commission of the Miamisburg and Miami Township Joint Fire District* and an *Agreement* establishing the terms and conditions upon which the entities would merge the two Fire Delivery Systems, in some fashion; and

Whereas, pursuant to Ohio Revised Code Section 505.371 permits a township and a municipality to form a Fire District: and

Whereas, the Miami Township Trustees wish to appoint an interim Commission to provide the structural framework prior to the formal creation of a Fire District Pursuant to Ohio Revised Code Section 505.371; and

Whereas, appointment of the Interim Board Commissioners representing the City of Miamisburg and the Miami Township Trustees is necessary to conduct further collaborative study that will result in a final recommendation to be considered for adoption by the full elected bodies of both jurisdictions; and

Whereas, the City of Miamisburg passed Resolution 2706 on Tuesday January 20, 2009 appointing the Interim Board of Commissioners; and

Whereas, this resolution along with Resolution 2706 will result in the creation of an Interim Board of Commissioners of the Miamisburg and Miami Township Joint Fire District with powers and duties that will be delineated below; and

Whereas, the Miami Township Trustees desire to appoint Deborah M. Preston as the elected official representative to the Interim Commission; and

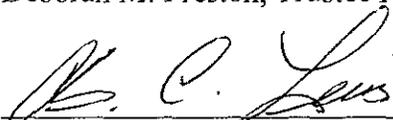
Whereas, the staff has conducted interviews for the citizen appointment and are recommending Ann-Lisa Rucker as the citizen representative to the Interim Commission; and

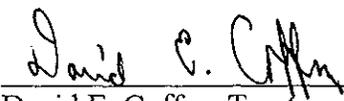
Whereas, the desire of both Miami Township and the City of Miamisburg is to appoint Glenn Alexander as the joint representative to the Interim Commission; and

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

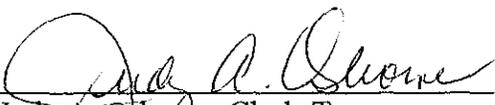
- Section 1. The Board of Trustees appoints Deborah M. Preston as the elected official representative to the Interim Fire Commission; and
- Section 2. The Miami Township Board of Trustees appoints Ann-Lisa Rucker as the Citizen Representative to the Interim Fire Commission; and
- Section 3. The Board of Trustees appoints Glenn Alexander as the joint representative to the Interim Fire Commission.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:

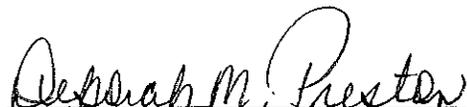

Judy A. Osborne, Clerk-Treasurer
Passed: January 27, 2009
GSR:bph

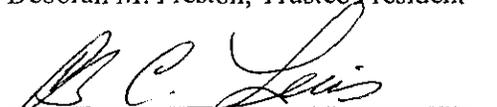
RESOLUTION #12-2009

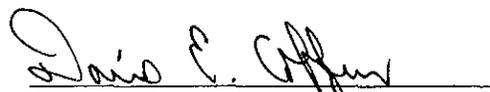
RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR AN INDIGENT CREMATION

- 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,** O.R.C. 9.15 requires Miami Township to provide for the burial or cremation of its indigent residents,

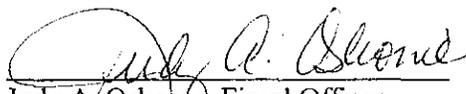
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and at the date of the execution of the order, the amount of \$725.00 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the General Fund free of any commitments or encumbrances.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 27, 2009
GSR:bph

RESOLUTION #13-2009

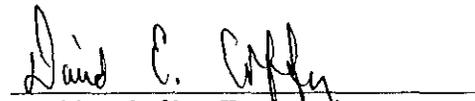
RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR REIMBURSEMENT OF FUNDS TO THE DEPARTMENT OF JOBS AND FAMILY SERVICES

- 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 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 and the Miami Township Fire Department have an obligation to reimburse the Ohio Department of Job and Family Services; and
- Whereas,** the invoice for expenses incurred was not received in a timely enough manner to be able to pay the invoice prior to the closing of the 2008 fiscal year; and

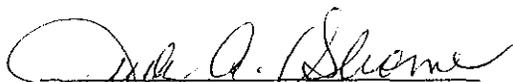
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time unemployment benefit expenses were incurred and on the date the invoice was received, the amount of \$2,195.00 to pay for the reimbursement, has been appropriated for the purpose of paying the reimbursement, and is in the treasury, or in the Police Department and Fire Department Funds, free of any commitments or encumbrances.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: January 27, 2009

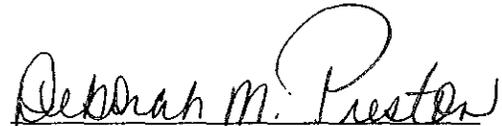
GSR:bph

RESOLUTION #14-2009

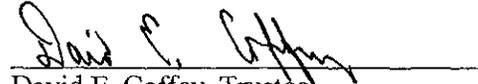
RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR PAYMENT OF DISPATCHING SERVICES TO THE MONTGOMERY COUNTY SHERIFF'S OFFICE

- 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 and the Miami Township Fire Department have an obligation to pay for dispatching services provided by the Montgomery County Sheriff's Office during November and December 2008; and
- Whereas,** the invoices for expenses incurred were not received in a timely enough manner to be able to pay the invoices prior to the closing of the 2008 fiscal year; and
- Therefore Be It Resolved,** the Fiscal Officer of Miami Township certifies that both at the time dispatching services were provided and on the date the invoices were received, the amount of \$74,913.41 to pay for the services, has been appropriated for the purpose of paying for the services, and is in the treasury, or in the process of collection to the credit of the Police Department and Fire Department, free of any commitments or encumbrances.

SIGNATURE PAGE FOR RESOLUTION #14-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 27, 2009
GSR:bph

RESOLUTION #15-2009

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

Whereas, John Chelman has been a Full-Time Firefighter/Paramedic since November 19, 1996; and

Whereas, John Chelman submitted his resignation Friday, January 23, 2009; and

Whereas, Fire Chief David B. Fulmer and Human Resources Director Lisa deGuzman recommend the elected officials formally accept the resignation of John Chelman; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of John Chelman termination of employment is effective February 7, 2009;

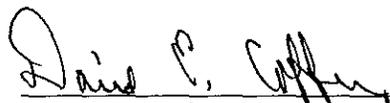
Further Be It Resolved, the Miami Township Board of Trustees directs the Finance Director and the Fire Chief to accord John Chelman those rights and benefits to which he is entitled under the current collective bargaining agreement and/or the employee policy manual.



Deborah M. Preston, Trustee President

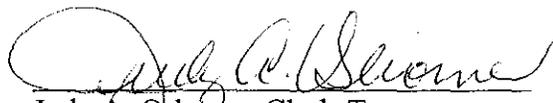


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Osborne, Clerk-Treasurer
Passed: January 27, 2009
GSR:bph

RESOLUTION #16-2009

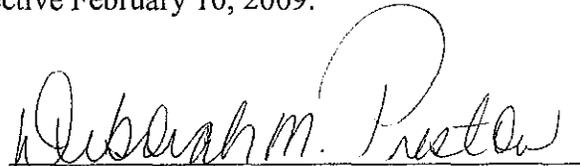
**RESOLUTION AUTHORIZING THE HIRING OF PART-TIME
PERSONNEL**

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

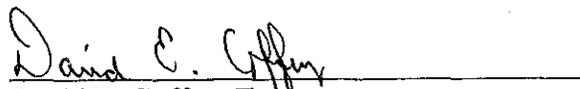
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individuals as part-time employees:

Ian Emmons	Grade S-1	\$11.96 / per hour
Timothy Kracus	Grade S-1	\$11.96 / per hour
Matthew Sears	Grade S-1	\$11.96 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above three (3) individuals, with hiring dates to be determined in the Division of Fire & EMS, effective February 10, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 10, 2009
GSR:bph

RESOLUTION #17-2009

RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH MONTGOMERY COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE EMERGENCY DISPATCH SERVICES IN A CONSOLIDATED EMERGENCY COMMUNICATIONS CENTER AS OPERATED BY THE MONTGOMERY COUNTY SHERIFF

Whereas, Miami Township is desirous of contracting with the Montgomery County Board of County Commissioners to provide emergency dispatch services in a consolidated emergency communications center as operated by the Montgomery County Sheriff; and

Whereas, the Montgomery County Board of County Commissioners as authorized by the Ohio Revised Code 307.15 may contract with governmental entities to perform a function on behalf of the governmental entity; and

Whereas, a consolidated dispatch center has been identified as an opportunity for operation efficiency, service effectiveness, cost savings, community safety and regional cooperation; and

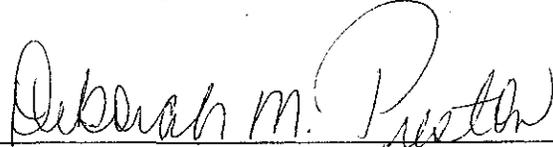
Whereas, the Montgomery County Board of Commissioners designates the County Sheriff to provide all operational responsibility for the Consolidated Emergency Communications Center; and

Whereas, a permanent Emergency Communications Policy Committee is established to oversee the Consolidated Emergency Communications Center; and

Whereas, after much discussion and deliberation and with input and action by participating communities, the Board of County Commissioners desire to enter into this Agreement; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute an Agreement with the Montgomery County Board of County Commissioners to provide emergency dispatch services in a Consolidated Emergency Communications Center as operated by the County Sheriff be and is hereby approved.

SIGNATURE PAGE FOR RESOLUTION #17-2009 ONLY



Deborah M. Preston, Trustee President

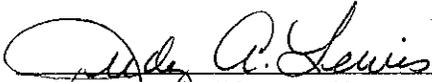


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: February 10, 2009

GSR:bph

RESOLUTION #19-2009

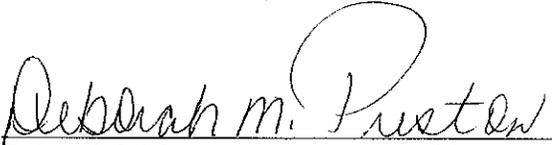
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MAINTENANCE AGREEMENT WITH P & R
COMMUNICATIONS FOR MAINTENANCE OF COMMUNICATION
EQUIPMENT**

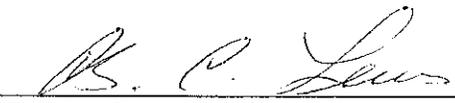
Whereas, the Miami Township Police Department is desirous of entering into a maintenance agreement with P & R Communications for maintenance of police department communication equipment; and

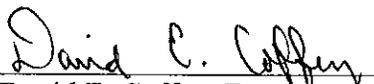
Whereas, Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement if the amount is under the statutory bidding requirement; and

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, 2009 through December 31, 2009 at a cost not to exceed \$14,552.10.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 10, 2009
GSR:bph

RESOLUTION #18-2009

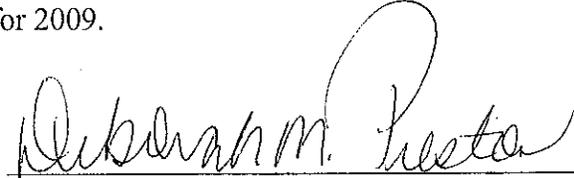
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE MONTGOMERY
COUNTY BOARD OF COMMISSIONERS AND THE MONTGOMERY
COUNTY SHERIFF'S OFFICE**

Whereas, the Miami Township Police Department is desirous of entering into an agreement with the Montgomery County Board of Commissioners and the Montgomery County Sheriff's Office to provide training for Miami Township Police Department sworn personnel; and

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

Whereas, the Chief of Police is satisfied that the training outlined in the agreement and provided by the Montgomery County Sheriff's Office will meet the needs of the police department; and

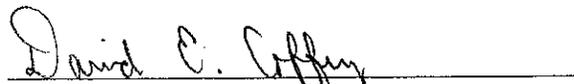
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement with the Montgomery County Board of Commissioners and the Montgomery County Sheriff's Office to secure training for sworn personnel of the police department at a cost not to exceed \$4500.00 for 2009.



Deborah M. Preston, Trustee President

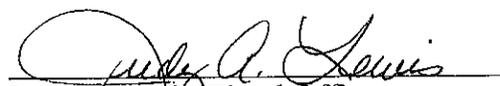


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 10, 2009
GSR:bph

RESOLUTION #20-2009

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A SOFTWARE SUPPORT AGREEMENT WITH
COLLECTIVE DATA, INC.**

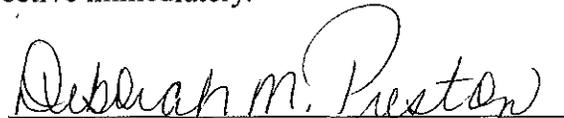
Whereas, the Miami Township Public Works Department is desirous of entering into a support agreement for software specific to Vehicle Maintenance; and

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

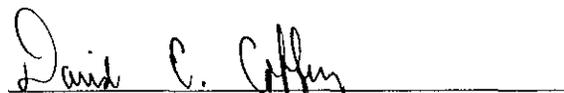
Whereas, the Public Works Director is satisfied that the software support services provided by Collective Data, Inc. will meet the needs of the Vehicle Maintenance Department; and

Whereas, the agreement shall be in effect for 12 consecutive months, from the date of approval, and the agreement will automatically be renewed for the same time period, unless written notice not to renew is supplied 120 days in advance; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into an agreement with Collective Data, Inc., for software support services, effective immediately.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 10, 2009
GSR:bph

RESOLUTION #21-2009

**RESOLUTION TO APPROVE MEMBERSHIP TO THE
MIAMI VALLEY REGIONAL PLANNING COMMISSION**

Whereas, the Miami Township Board of Trustees has determined membership to the Miami Valley Regional Planning Commission (MVRPC) is desirable for 2009; and

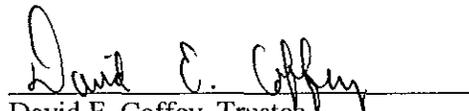
Whereas, membership dues to the MVRPC for 2009 are \$0.46 per capita, and the 2000 United States Census list the population of Miami Township as 25,706 ; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the expenditure of \$0.46 per capita, for a total of \$11,824.76, for membership to the MVRPC for 2009; and

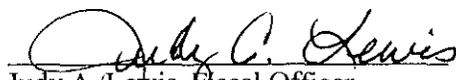
Therefore Be It Further Resolved, the Miami Township Board of Trustees will evaluate membership to the MVRPC on a yearly basis prior to renewing membership.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed February 10, 2009
GSR:bph

RESOLUTION #22-2009

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

Whereas, the Miami Township Board of Trustees and the City Council for the City of Miamisburg have formed the Hillgrove Union Cemetery; and

Whereas, there is a need to appoint a Miami Township Representative to the Hillgrove Union Cemetery Board of Trustees; and

Whereas, Charles Lewis has expressed a desire to continue to serve on Hillgrove Union Cemetery Board of Trustees; and

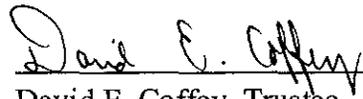
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Charles Lewis to serve on the Hillgrove Union Cemetery Board of Trustees for a term of three (3) years ending on May 31, 2011.



Deborah M. Preston, Trustee President

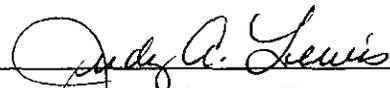


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: February 10, 2009
GSR:bph

RESOLUTION #23-2009

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

- Whereas,** Randy Benson, full-time regular Parks Worker, has been off of work due to a non-work related medical condition; and
- Whereas,** Randy Benson has exhausted all accrued leave balances; and
- Whereas,** FMLA has been appropriately applied to Randy Benson; and
- Whereas,** Randy Benson failed to return to work per FMLA regulations and Township policies; and
- Whereas,** Randy Benson was placed in an absent without leave status effective 2/2/2009, and
- Whereas,** Randy Benson was placed on suspension effective 2/6/2009, and
- Whereas,** Randy Benson was notified of disciplinary due process; and
- Whereas,** Miami Township provided Randy Benson with due process; and
- Whereas,** the Board of Trustees held the hearing on February 19, 2009 at 5:30 pm; and
- Whereas,** Randy Benson failed to appear for the hearing, and
- Whereas,** Human Resources and Public Works Directors, Lisa R. deGuzman and Daniel Mayberry respectively, presented facts and recommended to the Board that Randy Benson be terminated for cause;

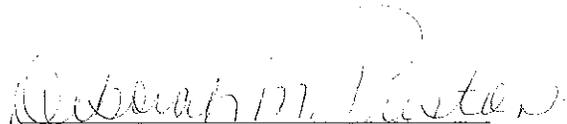
Therefore Be It Resolved, the Board of Trustees, after hearing the evidence, have found Randy Benson guilty of the following charges:

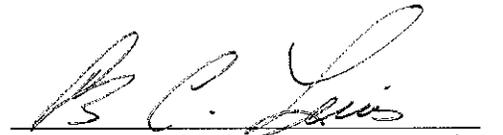
1. Failure to comply with the Family and Medical Leave Act regulations title 29, Part 825
2. Failure to exercise common sense – Subsection C (1)
3. Failure of competent performance – Subsection C (12)
4. Insubordination (Absent without Leave) – Subsection C (16)
5. Failure to know, observe, and obey directives and expectations – Subsection C (17)

Further Be It Resolved, the Board of Trustees finds that Randy Benson is guilty of failing to respond to the letter of February 16; and

Further Be It Resolved, the Board of Trustees finds that Randy Benson is guilty of failing to appear before the Board for the hearing, and by his absence he has voluntarily resigned from employment with Miami Township, and the Board accepts the voluntary resignation of Randy Benson as such; and

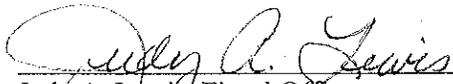
Lastly Be It Resolved, the Board of Trustees authorizes Miami Township staff to take the appropriate actions to terminate the employment of Randy Benson effective 6:45 PM on Thursday, February 19, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 19, 2009
GSR:bph

RESOLUTION #24-2009

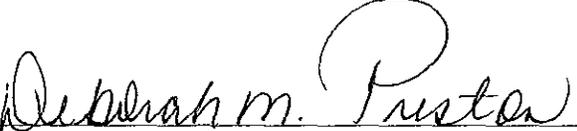
**RESOLUTION TO APPROVE A PAY INCREASE FOR A DEPUTY
FIRE CHIEF**

Whereas, A. David Schmaltz has successfully served four (4) years as a Deputy Chief for the Miami Township Division of Fire & EMS; and

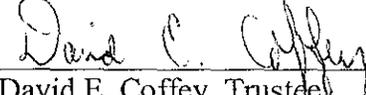
Whereas, a performance evaluation has been conducted by the Fire Chief and his evaluation and recommendation have been completed; and

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

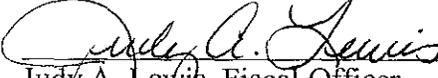
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a salary increase for A. David Schmaltz to an annual rate of pay of \$75,651.51, effective February 28, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 24, 2009
GSR:bph

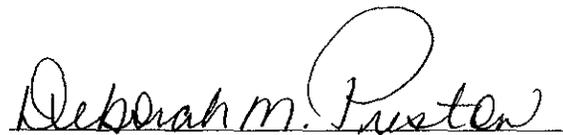
RESOLUTION #25-2009

**RESOLUTION TO APPROVE A WAGE INCREASE FOR
A PUBLIC WORKS DEPARTMENT ROAD WORKER**

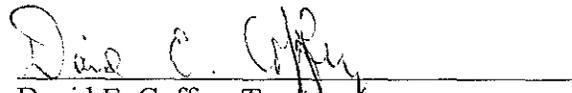
Whereas, Donnie Harper has successfully served two (2) years as a Road Worker for the Public Works Department; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Donnie Harper, Pay Grade 5, Step 4, to \$17.63 per hour, effective February 26, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 24, 2009
GSR:bph

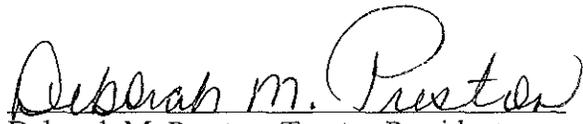
RESOLUTION #26-2009

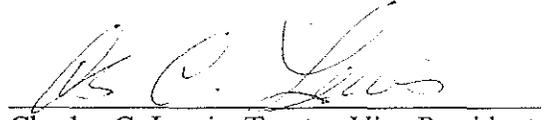
**RESOLUTION TO APPROVE A WAGE INCREASE FOR
A PUBLIC WORKS DEPARTMENT ROAD WORKER**

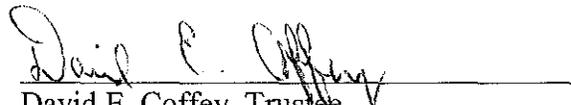
Whereas, Jay Crawford has successfully served two (2) years as a Road Worker for the Public Works Department; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Jay Crawford, Pay Grade 5, Step 4, to \$17.63 per hour, effective February 26, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 24, 2009
GSR:bph

RESOLUTION #27-2009

**RESOLUTION TO AUTHORIZE A PAY INCREASE FOR AN
ADMINISTRATIVE ASSISTANT II**

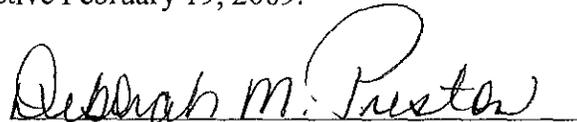
Whereas, Susan Davis was promoted to Administrative Assistant II on February 19, 2006; and

Whereas, Susan Davis' performance over the last year warrants consideration for the next pay schedule increase; and

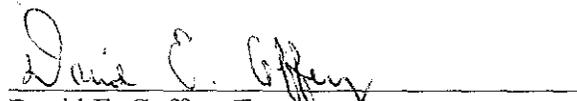
Whereas, a performance evaluation has been conducted and the Human Resource Director and the Assistant Township Administrator are recommending an increase in pay to Step 5, Pay Grade 5; and

Whereas, Township Administrator, Greg Hanahan, supports their recommendation; and

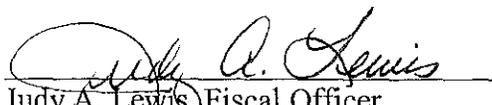
Therefore, Be It Resolved, the Miami Township Board of Trustees accepts the above recommendation, and authorizes a pay increase for Susan Davis, to Grade 5, Step 5, \$18.28 per hour, effective February 19, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 24, 2009
GSR:bph

RESOLUTION #28-2009

RESOLUTION TO AMEND RESOLUTION #83-2008 AUTHORIZE HEALTH INSURANCE WITH UNITED HEALTH CARE FOR THE 2008/2009 CONTRACT YEAR

- Whereas,** Miami Township lost a grievance to the Miami Township Fraternal Order of Police; and
- Whereas,** the remedy of the arbitrator prevents the Board from establishing health insurance premiums that are not exact to the amount the carrier; and
- Whereas,** the arbitrator's remedy requires (only) the Buy-Up plan premiums to be changed; and
- Whereas,** federal regulations require employers offer and administer benefits equally and fairly among all employees of similar status and this in turn means that the arbitrator's decision impacts Miami Township as a whole in this particular instance; and
- Whereas,** all other information contained in Resolution, except as otherwise amended herein, remains the same; and

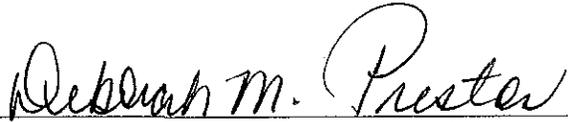
Therefore Be It Resolved, the Elected Officials amend Resolution #83-2008 to reflect the premiums for the 2008/2009 health plan year as follows:

Option #1	Monthly Premium	Monthly Premium	Monthly Non-union Employee Contribution @ 10%	Monthly Non-union Employee Contribution @ 10%	Monthly Union Employee Contribution @ 20%	Monthly Union Employee Contribution @ 20%
	HDHP	BUY-UP	HDHP	BUY-UP	HDHP	BUY-UP
Employee Only:	\$363.02	\$442.19	\$36.30	\$44.22	\$72.60	\$88.44
Employee + Spouse:	\$794.34	\$967.58	\$79.43	\$96.76	\$158.87	\$193.52
Employee + Children:	\$612.79	\$746.43	\$61.28	\$74.64	\$122.56	\$149.29
Employee + Family	\$1,120.63	\$1,365.03	\$112.06	\$136.50	\$224.13	\$273.00

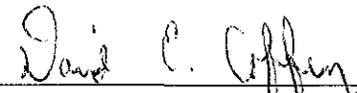
Further Be It Resolved, the Miami Township Board of Trustees authorizes Miami Township staff to take the appropriate actions to put into place the arbitrator's decision, beginning with the first appropriate payroll period of the 2008/2009 health insurance renewal plan, including, but not limited to, refunding appropriate moneys to employees; and

Lastly Be It Resolved, the Board of Trustees directs Miami Township staff to take actions as quickly and appropriately as possible.

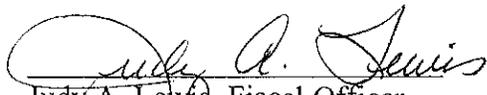
SIGNATURE PAGE FOR RESOLUTION #28-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: February 24, 2009
GSR:bph

RESOLUTION #29-2009

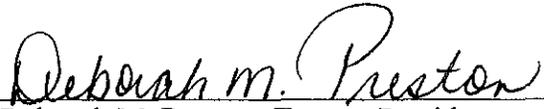
**RESOLUTION AUTHORIZING THE HIRING OF PART-TIME
PERSONNEL**

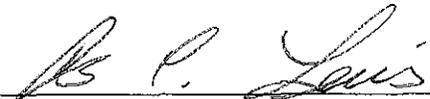
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

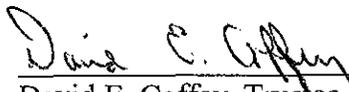
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individual as a part-time employee:

Benjamin McNeely Jr. Grade S-1 \$11.96 / per hour

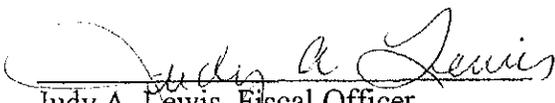
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective March 10, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

RESOLUTION #30-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF MEMORANDUM OF UNDERSTANDING RELATING TO THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT BETWEEN THE CITY OF MIAMISBURG, OHIO, MIAMI TOWNSHIP, OHIO AND MONTGOMERY COUNTY, OHIO, AND AUTHORIZING OTHER ACTIONS NECESSARY TO ESTABLISH THE DISTRICT AND NEGOTIATE A DEFINITIVE AGREEMENT

- Whereas,** Sections 715.72 to 715.81 of the Ohio Revised Code authorize one or more municipal corporations and one or more townships to enter into a contract (the "Contract") to establish a joint economic development district (the "District") for the purpose of facilitating economic development, creating or preserving jobs and employment opportunities and improving the economic welfare of the people in this state and in the areas of the parties to that Contract; and
- Whereas,** the Board of Trustees of Miami Township, Ohio (the "Township") have discussed with the City of Miamisburg, Ohio (the "City") and Montgomery County, Ohio (the "County") the formation of a District to include certain property surrounding the Dayton Mall (the "Area"); and
- Whereas,** the City, the Township and the County have prepared a Memorandum of Understanding (the "MOU") describing the terms of a proposed agreement forming the District (the "JEDD Agreement"), with such agreement to be subject to the approval of the legislative authorities of each subdivision; and
- Whereas,** this Board of Trustees believes that the creation of the District and the negotiation of a definitive JEDD Agreement is in the best interest of the Township.

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

- Section 1. This Board hereby finds and determines that the execution and delivery of the MOU is in the best interest of this Board and the Township, in order to provide for the negotiation and execution of the JEDD Agreement.
- Section 2. The MOU in substantially the form now on file in the office of the Fiscal Officer, is hereby approved and this Board hereby authorizes the execution and delivery of the MOU by the Administrator on behalf of the Township, with any changes therein as are permitted by applicable law and not adverse to the Township, and the fact that any such changes are permitted by applicable

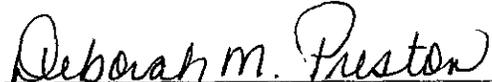
law and not adverse to the Township shall be evidenced by execution of the MOU by the Administrator.

Section 3. 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, including but not limited the negotiation of the definitive JEDD Agreement, publication of notices precedent to the creation of a District and the execution of the Agreement. This Board ratifies approves and adopts all actions taken by such officers and employees in connection with the Contract or the establishment of the District.

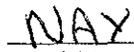
Section 4. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all such deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 6. 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.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

RESOLUTION #31-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING RELATING TO THE CREATION OF A LAND USE PLAN FOR UNDEVELOPED LAND COMMON TO THE CITY OF MIAMISBURG, OHIO AND MIAMI TOWNSHIP, OHIO, AND AUTHORIZING OTHER ACTIONS NECESSARY TO CREATE A DEFINITIVE PLAN

Whereas, the Board of Trustees and other officials of Miami Township, Montgomery County, Ohio have discussed with the officials of the City of Miamisburg, Ohio (the "City") the need to establish a land use planning process for all undeveloped land common to the City and the Township; and

Whereas, the City and the Township have prepared a Memorandum of Understanding (the "MOU") describing the components of the land use planning process, the desired outcomes and the completion of a definitive land use plan; and

Whereas, this Board of Trustees believes that the establishment of a land use planning process and completion of a land use plan is in the best interest of the Township; and

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

Section 1. This Board hereby finds and determines that the execution and delivery of the MOU is in the best interest of this Board and the Township, in order to provide for the establishment of a land use planning process and the completion of a definitive land use plan.

Section 2. The MOU in substantially the form now on file in the office of the Fiscal Officer, is hereby approved and this Board hereby authorizes the execution and delivery of the MOU on behalf of the Township by the Administrator, with any changes therein as are permitted by applicable law and not adverse to the Township, and the fact that any such changes are permitted by applicable law and not adverse to the Township shall be evidenced by execution of the MOU by the Administrator.

Section 3. 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 the signing of the MOU, and to carry out the transactions contemplated therein, including the entry into a land use planning process and completion of a land use plan. This Board ratifies approves and adopts all actions taken by

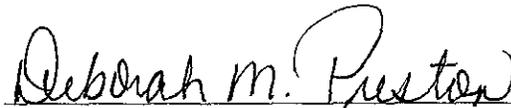
such officers and employees in connection with the MOU or in connection with the land use planning process.

Section 4. 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.

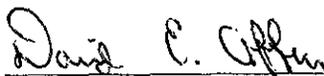
Section 5. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all such deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 6. 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 7. 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


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

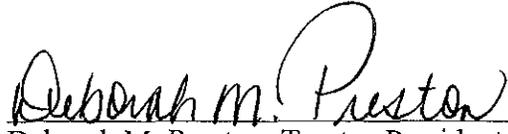
RESOLUTION #32-2009

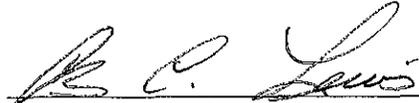
**RESOLUTION TO APPROVE A WAGE INCREASE FOR
A PUBLIC WORKS DEPARTMENT ROAD FOREMAN**

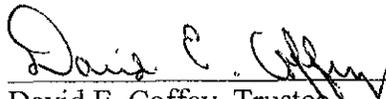
Whereas, Wesley Wade has successfully served two (2) years as a Road Foreman for the Public Works Department; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Wesley Wade, Pay Grade 2, Step 5, to \$22.24 per hour, effective March 18, 2009


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

RESOLUTION #33-2009

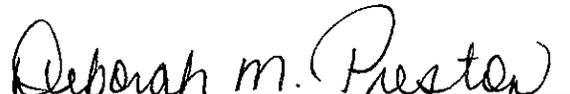
RESOLUTION AUTHORIZING A WAGE INCREASE FOR A RECORD CLERK I

Whereas, Karen Moseley will complete four (4) years of service for the Police Department on March 16, 2009; and

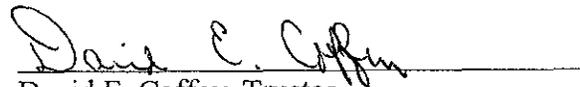
Whereas, a performance evaluation has been completed and Karen Moseley exceeded all performance expectations for her fourth year on the job; and

Whereas, the Police Chief has made a recommendation for a wage increase for Karen Moseley consistent with the approved wage scale for Miami Township; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Record Clerk I Karen Moseley to \$16.01 per hour, effective March 17, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

RESOLUTION #34-2009

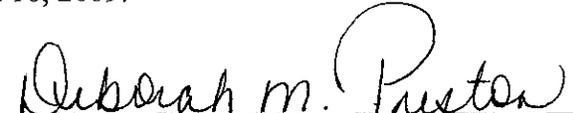
**RESOLUTION AUTHORIZING THE HIRING OF PART-TIME
PERSONNEL**

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

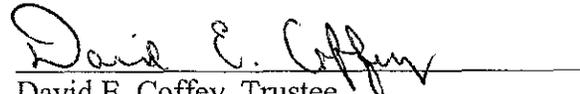
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individual as a part-time employee:

Kevin Hicks 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 in the Division of Fire & EMS, effective March 10, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: March 10, 2009
GSR:bph

RESOLUTION #35-2009

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

Whereas, Jason Weishaar has been an part-time FF/EMT since January 30, 2006; and

Whereas, Jason Weishaar has decided to resign his part-time position as a result of personal reasons and in order to work at Children's Medical Center full-time; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Jason Weishaar, and termination of his employment is effective March 24, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #36-2009

RESOLUTION TO ACCEPT THE RESIGNATION OF THE FIRE CHIEF

Whereas, David Fulmer has been the Fire Chief since April 1, 2002; and

Whereas, David Fulmer has recently accepted a Fire Chief position with the West Licking Joint Fire District and therefore has decided to resign as Fire Chief for Miami Township; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of David Fulmer, and termination of his employment is effective April 26, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #37-2009

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

Whereas, Ian Emmons has been an part-time FF/EMT since March 10, 2009; and

Whereas, Ian Emmons has failed to show for mandatory orientation, training, and has failed to contact the Division; and

Whereas, Chief David B. Fulmer is making the recommendation to probationary release Ian Emmons and terminate his employment; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the recommendation of Chief Fulmer, and termination of Ian Emmons' employment is effective March 24, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #38-2009

RESOLUTION AUTHORIZING THE HIRING OF PART-TIME PERSONNEL

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

Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individuals as a part-time employees:

Max Bryant	Grade S-1	\$11.96 / per hour
Barry Deaton	Grade S-1	\$11.96 / per hour
Michael Miller	Grade S-1	\$11.96 / per hour
Chad Schrock	Grade S-1	\$11.96 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individuals, with their hiring dates to be determined in the Division of Fire & EMS, effective March 24, 2009.

absent

Deborah M. Preston, Trustee President

B. C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: March 24, 2009

GSR:bph

RESOLUTION #39-2009

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

Whereas, Chris Snyder has successfully served three (3) 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 \$75,961.48, effective March 19, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed March 24, 2009
GSR:bph

RESOLUTION #40-2009

RESOLUTION TO CONTRACT FOR SPECIALIZED LEGAL SERVICES IN PUBLIC EMPLOYEE LABOR MATTERS

Whereas, the Board of Trustees of Miami Township desires to obtain the legal representative services for contractual negotiations with the Division of Fire & EMS employees who are members of the Local 2951 IAFF; and

Whereas, the law firm of Frost Brown Todd, LLC, located at 9277 Centre Point Drive, Suite 300 West Chester, Ohio 45069, and W. Joseph Scholler, a Frost Brown Todd attorney, are experienced in such matters; and

Whereas, Miami Township desires to designate W. Joseph Scholler as counsel for purposes of contract negotiations; and

Now, Therefore, Witnesseth this Resolution for legal services will be entered into on the 1st day of April, 2009, as follows:

1. Miami Township employs Frost Brown Todd, LLC at rates which will vary from \$165.00 to \$350.00 per hour, and said rates will depend on the services and the individual performing them.
2. W. Joseph Scholler as counsel at the rate of \$230.00 per hour, plus reasonable expenses, in connection with such representation in labor and employment matters.
3. For purposes of the Resolution, "Attorney" shall include other attorneys and staff of Frost Brown Todd, LLC as called upon for assistance by W. Joseph Scholler.
4. The agreement between Miami Township and Frost Brown Todd, LLC shall continue at the will of each party and may be terminated upon thirty (30) days written notice.

Therefore Be It Resolved, the Miami Township Board of Trustees directs the Human Resources Director, Lisa R. deGuzman, to execute a purchase order to cover expenses associated with securing the services of Frost Brown Todd, LLC; and

Lastly Be It Resolved, the Miami Township Board of Trustees directs the Township Administrator, Gregory A. Hanahan, to execute the necessary documents to enter into an agreement with Frost Brown Todd, LLC for the purposes of collective bargaining.

RESOLUTION #41-2009

**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 13, 2009 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.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: March 24, 2009

GAH:sld

RESOLUTION #42-2009

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
ZONING CASE #167-85, FOR LANDS ZONED "PD-5", PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, March 24, 2009; and

Whereas, Zoning Case #167-85, filed by Oberer Construction Managers, Ltd., proposes adoption of a final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Final Development Plan for Zoning Case #167-85 and SUPPORTS the Zoning Commission recommendation.

absent

Deborah M. Preston, Trustee President

B. C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #43-2009

**RESOLUTION TO APPROVE A PAY INCREASE FOR A PART-TIME
FIRE FIGHTER**

Whereas, Daniel B. Smith has successfully completed additional training for the Miami Township Division of Fire & EMS; and

Whereas, the Fire Chief is recommending an increase in pay to Step 3, Pay Grade PT 10 A; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Daniel B. Smith to Step 3, Pay Grade PT 10 A, at a rate of \$14.74 per hour, effective March 10, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #44-2009

RESOLUTION AUTHORIZING THE HIRING OF A TEMPORARY PART-TIME EMPLOYEE FOR THE ADMINISTRATION DEPARTMENT

- Whereas,** Miami Township has been and continues to work on a joint district fire department; and
- Whereas,** pending the outcome of the joint district efforts and in lieu of hiring additional support staff, Miami Township Administrator Hanahan has elected to postpone the formal filling of the vacated Administration position(s) such that it could offered to a qualified displaced Division of Fire & EMS employee upon the joint district's fruition; and
- Whereas,** there remains a need for Administrative I-type services, Monday through Friday, 8:00 a.m. to 5:00 p.m. and as administratively necessary; and
- Whereas,** in keeping with the Ohio Revised Code's 1,500 hour rule relative to township part-time employees; and
- Whereas,** Brianne Hoover is currently a contracted employee through Office Team at a rate to the Township of \$16.68/hour for which she receives \$9.70/hour; and
- Whereas,** after reviewing the financial and legal issues, Miami Township can be fiscally responsible and remain within State and the Department of Labor regulations by considering a temporary employee; and
- Whereas** Brianne Hoover is willing to work a as a temporary part-time employee, and understands that there are no benefits, other than hourly compensation, to working as a temporary employee; and that the hours worked within a 365-day rolling period, beginning with her first day of temporary part-time employment with Miami Township will not exceed 1,500 hours; and
- Whereas,** after reviewing the issue of hiring a temporary part-time employee with legal counsel, the Human Resources Director is recommending that Brianne Hoover be hired as a temporary part-time employee to provide administrative services for such time as to comply with State of Ohio and federal regulations; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the hiring of a temporary part-time employee, Brianne Hoover, at the hourly rate of \$11.70 per hour; and
- Further Be It Resolved,** the Assistant Administrator and the Human Resources Director, under the governance of the Administrator, are responsible for keeping the

temporary part-time employee's activities and hours within the definition of part-time temporary employment; and

Lastly Be It Resolved; the date of the temporary part-time hire will be effective with or after payroll beginning March 29, 2009.

absent

Deborah M. Preston, Trustee President

B. C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #45-2009

**RESOLUTION TO APPROVE AN ENTERPRISE ZONE AGREEMENT
WITH BRIXEY & MEYER, INC.**

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

Whereas, Brixey & Meyer, Inc. is desirous of expanding operations to create employment opportunities, i.e., beginning construction of a new 12,000 square foot multi-tenant masonry office/warehouse building within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate incentives are available to support the economic viability of said project; and

Whereas, Montgomery County and Montgomery County have the appropriate authority and a pending application from Brixey & Meyer, Inc., for allowable incentives as provided for in the Ohio Revised Code as approved by the local school taxing authorities; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the attached Brixey & Meyer, Inc. Ohio Enterprise Zone Agreement with all the terms and conditions as stated therein pending the approval of the Montgomery County prosecutor's office.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: March 24, 2009
GSR:bph

RESOLUTION #46-2009

RESOLUTION TO TEMPORARILY CHANGE THE STATUS OF AN EMPLOYEE

- Whereas,** Miami Township and the City of Miamisburg are discussing a joint district operation for fire and emergency medical services; and
- Whereas,** Fire Chief David B. Fulmer has resigned, which creates the need for an Interim Fire Chief; and
- Whereas,** Matthew Queen, a current Deputy Chief of Miami Township's Division of Fire & EMS, has agreed to accept the Conditional Offer of Temporary Promotion (Offer) to the Position of Interim Fire Chief (Chief); and
- Whereas,** the Offer for the position of Chief is conditioned upon all of the following:
1. The Board of Trustees passing this Resolution.
 2. Matthew Queen's clear and undisputable understanding that the Offer of Chief:
 - a. is temporary in nature; and
 - b. is exempt from FLSA overtime; and
 - c. will begin at 8:00 AM, April 8, 2009; and
 - d. will terminate upon the Township's formal dissolution of its Division of Fire & EMS or no later than February 28, 2010, whichever comes first; and
 - e. is not subject to the requirements of Ohio Rev. Code 505.38 due to its temporary, interim, and probationary nature; and
 - f. may, at any time during the time frame, be terminated by the Miami Township Board of Trustees without cause, in which case Matthew Queen will be returned to a position equivalent in pay and/or responsibilities to that of Deputy Chief; and
 - g. may, at any time during the time frame, be terminated by the Miami Township Board of Trustees with cause for Matthew Queen's behaviors and/or performance, in which case Matthew Queen would be released from employment from Miami Township; and

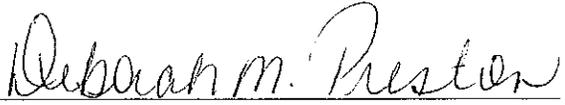
- h. will be subject to a probationary period through February 28, 2010; and
 - i. will not be subject to a performance-based increase in salary.
- 3. While serving as the Chief:
 - a. Matthew Queen will be compensated at an annual salaried rate of \$85,000 for a payroll year based upon 2080 hours; and
 - b. any and all current benefits that Matthew Queen is receiving will remain intact and accrue at the 2080 hour rate; and
 - c. Matthew Queen will report directly to Gregory S. Rogers, Assistant Township Administrator; and
 - d. Matthew Queen will, in conjunction with all other duties of a department head, be expected to work all necessary hours to operate the Division of Fire & EMS.
- 4. At the termination of Matthew Queen's position as Interim Fire Chief, he will be returned to the position of Deputy Chief, and may expect to receive pay and benefits afforded to other Township Division of Fire & EMS employees in similar or like positions at that time. The only exception applies if Matthew Queen is terminated pursuant to Ohio Rev. Code 505.38. In that case, Matthew Queen will not be employed by the Township.
- 5. Should Miami Township, at any time between April 8, 2009 and February 28, 2010, elect to retain its Division of Fire & EMS, or create a department with similar responsibilities to that of fire and emergency management services, and consider the hiring of a regular full-time Fire Chief; Matthew Queen may apply for this position should he meet the minimum qualifications.
- 6. Under no circumstances is this Offer or this Resolution a contract for employment or a promise of future employment in any capacity or standing; and

Whereas, Counsel has reviewed the Offer, and

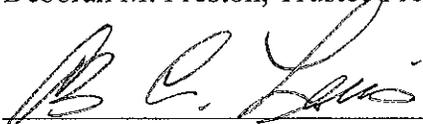
Whereas, Gregory A. Hanahan, Township Administrator, is recommending to the Board of Trustees that Matthew Queen be temporarily promoted to the position of Chief;

Therefore Be It Resolved, the Miami Township Board of Trustees approves the temporary promotion of Matthew Queen to the position of Interim Fire Chief as outlined above; and

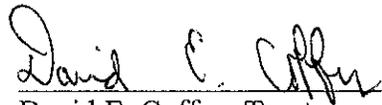
Further Be It Resolved, the Miami Township Board of Trustees authorizes Gregory A. Hanahan to take the necessary actions to ensure the above takes place.



Deborah M. Preston, Trustee President

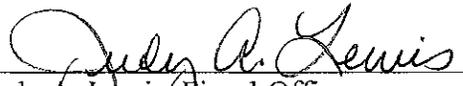


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: April 14, 2009
GSR:bph

RESOLUTION #47-2009

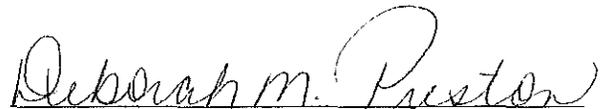
**RESOLUTION AUTHORIZING THE HIRING OF PART-TIME
PERSONNEL**

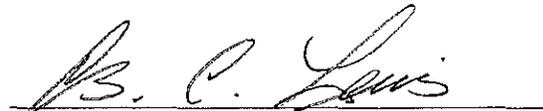
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individuals as a part-time employee:

Eric Harper	Grade S-1	\$11.96 / per hour
Samuel Long	Grade S-1	\$11.96 / per hour
Shaman Sharma	Grade S-1	\$11.96 / per hour

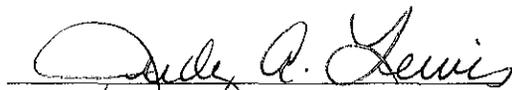
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individuals, with their hiring date to be determined in the Division of Fire & EMS, effective April 14, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed April 14, 2009
GSR:bph

RESOLUTION #48-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A PETITION RELATING TO THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT BETWEEN THE TOWNSHIP, THE CITY OF MIAMISBURG, OHIO AND THE COUNTY OF MONTGOMERY, OHIO, AUTHORIZING NOTICE OF A PUBLIC HEARING AND OTHER MATTERS

Whereas, Section 715.72 to 715.81 of the Ohio Revised Code authorizes one or more municipal corporations, one or more townships and one or more counties to enter into a contract (the "Contract") to establish a joint economic development district (the "District") 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, the Administrator and other officials of Miami Township (the "Township") have had discussions with the City of Miamisburg and the County of Montgomery regarding the possible formation of a District, which District will include all or a portion of the property depicted in Exhibit A to this Resolution (the "Property");

Whereas, in order to provide for the inclusion of the Property within the proposed District, the property owners of such property, including, to the extent that the Township is the owner of any such Property, the Township, must sign a petition (the "Petition") requesting its inclusion in the District; and

Whereas, prior to the approval of any resolution approving the Contract to create a District, this Board of Trustees is required to hold a public hearing concerning the Contract and the District;

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

Section 1. *Findings and Determinations of Board of Trustees of the Township.* This Board of Trustees hereby finds and determines that (i) the execution and delivery of the Contract, and the inclusion of the Property within the District will facilitate economic development, create or preserve jobs and employment opportunities and improve the economic welfare within the State and within the Township, (ii) the Property is not residential property, and is located within the Township and within the proposed District, and (iii) it is in the best interest of the Township to provide for the execution and delivery of the Petition and to satisfy the conditions set forth in the Ohio Revised Code which must be satisfied before this Board may give its approval to the Contract.

Section 2. *Authorization To Execute and Approval of Petition.* The Petition, in substantially the form now on file in the office of the Clerk is hereby approved and the Board of Trustees of the Township hereby authorizes the execution and delivery of the Petition on behalf of the Township by the Township Administrator for any Property to be included within the District that is owned by the Township with any 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 Petition by the Township Administrator

Section 3. *Approval of Contract and related matters.* This Board hereby approves the form of Contract, proposed map of the District, and economic development plan, including all related attachments thereto now on file with the Clerk of this Board, with such changes as the Administrator may approve prior to delivery of notice of the public hearing as are not materially adverse to the Township, and authorizes and directs the Administrator to provide public notice of a public hearing by this Board on the Contract and the creation of the District, not less than thirty days prior to the date of such hearing, which hearing will be held at the regular meeting of this Board on the date designated by the Administrator in such notice. Such notice will be published in the manner set forth in Ohio Revised Code Section 715.75. The Administrator is authorized and directed to make such Contract, map, and economic development plan, including all related attachments available for public inspection in accordance with the provisions of Ohio Revised Code Section 715.75.

Section 4. *Delivery of Proposed Contract to County.* The Clerk and the Administrator are authorized and directed, subsequent to the close of the public hearing and prior to the final approval of the Contract by this Board as contemplated by Section 715.76 of the Revised Code, to deliver a copy of the proposed Contract to the County of Montgomery, Ohio as required by Section 715.75 of the Ohio Revised Code.

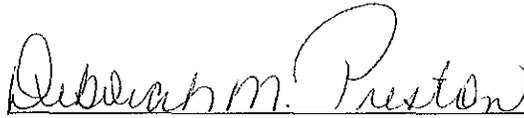
Section 5. *Further Authorizations.* This Board authorizes and directs the Administrator, the Clerk and all other appropriate officers and employees of the Township, alone or in conjunction with any other officer or employee of the Township, (a) to undertake and continue negotiations with the City of Miamisburg and the County of Montgomery with respect to the Contract and to finalize the Contract pending the delivery of notice of the public hearing described in Section 3 hereof and the execution and delivery of the Petition for any Property owned by the Township, (b) to take such actions as may be necessary or appropriate to obtain signatures of property owners and business owners within the District on the petitions necessary to establish the District, and (c) to take such actions as may be necessary or appropriate to provide for the public hearing and other conditions precedent to the final approval of the Contract by this Board. This Board ratifies approves and adopts all actions taken by such officers and employees in connection with the Contract or the establishment of the District.

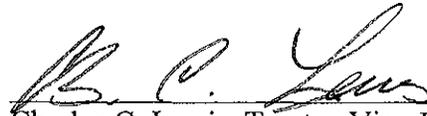
Section 6. *Severability.* If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. *Open Meeting Law.* This Board of Trustees hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees 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 8. *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 9. *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

NAY
David E. Coffey, Trustee

Attested:


Judy A. Lewis, Discal Officer
Passed April 14, 2009
GSR:bph

RESOLUTION #49-2009

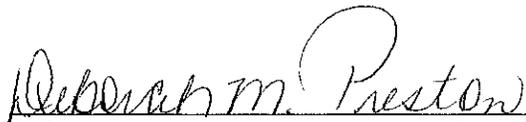
RESOLUTION TO CLOSE A TOWNSHIP ROAD

Whereas, there is a need to perform preparatory work for the relocation of Lyons Ridge Drive at the Lyons Road intersection; and

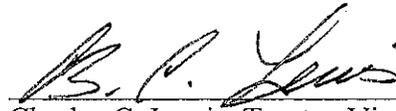
Whereas, the road work will require the roadway to be closed for approximately five (5) consecutive days; and

Whereas, the Ohio Revised Code requires the jurisdiction that maintains the roadway to authorize the closing of the roadway; and

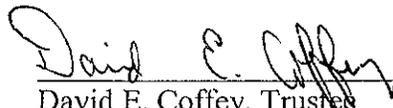
Therefore Be It Resolved, the Miami Township Board of Trustees order Lyons Ridge Drive, between Kingsridge Drive and Lyons Road, closed for approximately five (5) consecutive days to begin April 20, 2009, weather permitting, or as soon thereafter as weather permits.



Deborah M. Preston, Trustee President

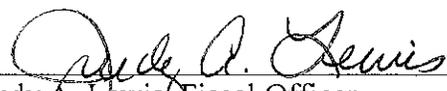


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



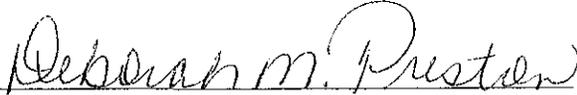
Judy A. Lewis, Fiscal Officer
Passed: April 14, 2009
GSR:bph

RESOLUTION #50-2009

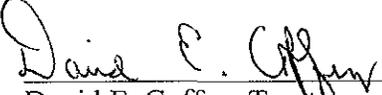
**RESOLUTION AUTHORIZING THE PURCHASE OF
EMERGENCY WARNING SIRENS**

- Whereas,** protecting health and welfare of the citizens of Miami Township is a basic function of the government; and
- Whereas,** Montgomery County (as the lead agency) has been awarded a 50/50 2008 FEMA Weather Alert Grant in the amount of \$307,712.00; and
- Whereas,** the Federal Signal bid of \$20,464 per siren (installed, complete with controls, back-up batteries, and pole) was accepted by Montgomery County; and
- Whereas,** Miami Township has been allocated a total of five (5) emergency warning sirens with the Township's matching funds being \$10,232 per siren or a total cost of \$51,160.00; and
- Whereas,** bids were publically advertised via the State of Ohio Cooperative Purchasing Program of which Miami Township and Montgomery County are members; and

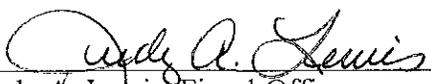
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Gregory A. Hanahan, Township Administrator, to executive the necessary agreements with Montgomery County as a result of the FEMA Weather Alert Grant, effective April 14, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 14, 2009
GSR:bph

RESOLUTION #51-2009

RESOLUTION TO AUTHORIZE SEVERANCE PAY TO A RESIGNING EMPLOYEE

Whereas, David B. Fulmer was hired as Fire Chief on April 1, 2002; and

Whereas, David B. Fulmer provided approximately seven years of full time service to Miami Township, its Fire Department, and residents; and

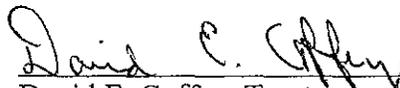
Whereas, the Board of Trustees, per Section 3, subsection XIV of the current Employee Policy Manual, may authorize severance pay where it believes such consideration is warranted; and

Therefore, Be It Resolved, the Miami Township Board of Trustees authorizes severance pay in the amount of thirteen thousand two hundred forty four dollars and four cents (\$13,244.04) be paid to David B. Fulmer following his April 26, 2009 resignation and receipt of a signed and witnessed Release of All Claims agreement; and

Further Be It Resolved, the severance pay paid to David B. Fulmer does comply with all applicable state and federal laws.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 14, 2009
GAH:gsr

Exhibit A

One Month's Salary (Gross)	\$ 7,556.94
Voluntary Educational Assistance Program	<u>5,687.10</u>
Total	<u><u>\$ 13,244.04</u></u>

RESOLUTION #52-2009

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
ZONING CASE #374-05, FOR LANDS ZONED "PD-5", PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, April 28, 2009; and

Whereas, Zoning Case 374-05, filed by 741 Developers, Ltd. proposes adoption of a final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

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


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #53-2009

**RESOLUTION TO APPROVE A WAGE INCREASE FOR
A PUBLIC WORKS DEPARTMENT ROAD WORKER**

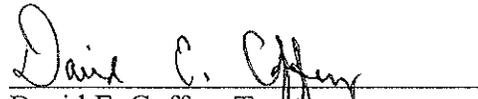
Whereas, Junior Cope has successfully served two (2) years as a Road Worker for the Public Works Department; and

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

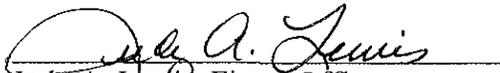
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Junior Cope, Pay Grade 5, Step 4, to \$17.63 per hour, effective April 30, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #54-2009

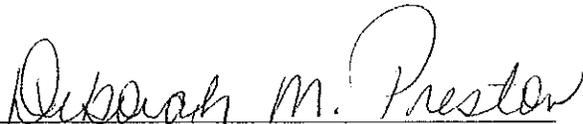
**RESOLUTION TO AWARD A BID FOR THE 2009 PAVEMENT
MAINTENANCE PROGRAM**

Whereas, there is a need for a Pavement Maintenance Program for road repairs in 2009;
and

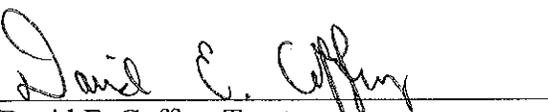
Whereas, the request for bids, through the proper media sources, has been made
according to O.R.C. 5575.01; and

Whereas, two bids were submitted and have been reviewed, and a recommendation has
been made by the Public Works Director; and

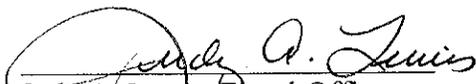
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the bid from
American Pavements Inc., 7475 Montgomery Drive, Plain City, Ohio, for
Slurry Seal Type II, at a cost of \$1.48 per square yard and SAMI Seal, at a
cost of \$2.54 per square yard, effective April 28, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #55-2009

RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

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

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

Section 1. That all Miami Township departments hereby request authority in the name of the Miami Township Board of Trustees to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and materials pursuant to Ohio Revised Code Section 125.04.

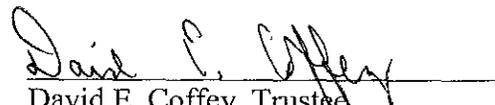
Section 2. That all Miami Township departments are hereby authorized to agree in the name of the Miami Township Board of Trustees to be bound by all terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the Miami Township Board of Trustees participation in the contract. Further, that all Miami Township departments do hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

Section 3. That all Miami Township departments are hereby authorized to agree in the name of the Miami Township Board of Trustees to directly pay vendors, under each such state contract in which it participates for items it receives pursuant to the contract, all Miami Township departments do hereby agree to directly pay vendors.

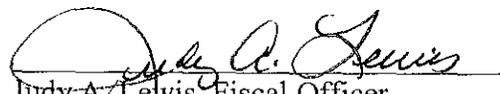
SIGNATURE PAGE FOR RESOLUTION #55-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #56-2009

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINSTRATOR
TO SUBMIT A CO-PERMITTEE NOTICE OF INTENT TO THE
MONTGOMERY COUNTY WATER SERVICES DEPARTMENT ON
BEHALF OF THE MIAMI TOWNSHIP BOARD OF TRUSTEES FOR
AUTHORIZATION FOR THE TOWNSHIP SMALL MUNICIPAL
SEPARATE STORM SEWER SYSTEMS TO DISCHARGE STORM
WATER UNDER THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM IN ACCORDANCE WITH GENERAL
PERMIT NUMBER OHQ000002**

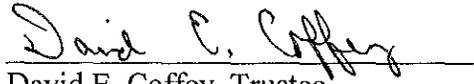
- Whereas,** the Ohio Environmental Protection Agency (Ohio EPA) issued General Permit No. OHQ000002 entitled "Authorization For Small Municipal Separate Storm Sewer Systems To Discharge Storm Water Under The National Pollutant Discharge Elimination System" on January 30, 2009; and
- Whereas,** the permit is a renewal, with changes, of an earlier General Permit issued December 27, 2002; and
- Whereas,** the Township is regulated by the renewal permit because it is located in an urbanized area as defined by the 2000 US Census; and
- Whereas,** the Township was notified by letter from the Ohio EPA of the issuance of General Permit No. OHQ000002 that renews and changes some requirements for authorization for storm water discharges from regulated small municipal separate storm sewer systems; and
- Whereas,** the permit enables several jurisdictions to share authorization under the General Permit by submitting one Notice of Intent, one \$200.00 fee and a Co-Permittee Notice of Intent form for each jurisdiction seeking authorization under the permit; and
- Whereas,** the Township previously received General Permit authorization by submitting a Notice of Intent, a \$200.00 fee and a Storm Water Management Program to the Ohio EPA; and
- Whereas,** a Storm Water Management Program document must be prepared and submitted to the Ohio EPA before January 30, 2011; and
- Whereas,** preparation of one Storm Water Management Program for Montgomery County and the co-permittees is the most efficient and effective method of preparing the document and enforcing the program; and

Whereas, the Montgomery County Board of County Commissioners has authorized the Township to share authorization under the General Permit by submitting a co-permittee form to the County Water Services Department to be forwarded to the Ohio EPA with the County Notice of Intent form and one \$200.00 fee paid by the County; and

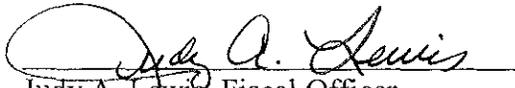
Therefore Be It Resolved, the Miami Township Board of Trustees hereby authorizes the Township Administrator to submit a co-permittee form to the Montgomery County Water Services Department on behalf of the Board of Township Trustees for authorization for small municipal separate storm sewer systems to discharge storm water under the national pollutant discharge elimination system in accordance with General Permit number OHQ000002.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #57-2009

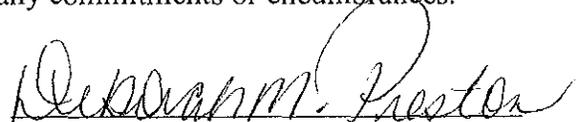
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE
ORDER FOR ARBITRATION SERVICES**

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

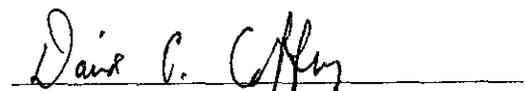
Whereas, O.R.C. 5705.41 also allows for a "Then and Now" purchase order to be issued when time or circumstances do not allow for the timely process of a normal purchase order; and

Whereas, the Miami Township Board of Trustees have incurred an expenditure for arbitration services; and

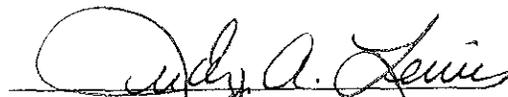
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and at the date of the execution of the order, the amount of \$3,038.69 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process 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


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed April 28, 2009
GSR:bph

RESOLUTION #58-2009

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINSTRATOR
TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT
OF TRANSPORTATION**

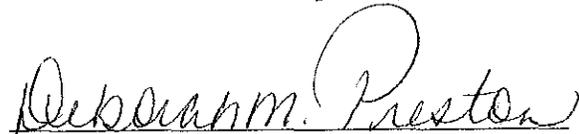
Whereas, the Ohio Department of Transportation, administers financial assistance for highway beautification projects, through the Gateway Landscaping Program; and

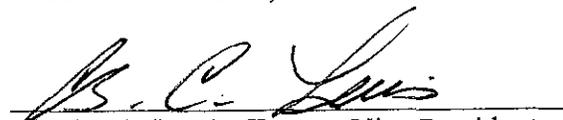
Whereas, Miami Township desires to receive funding from the Ohio Department of Transportation to construct a beautification project along Interstate 675; and

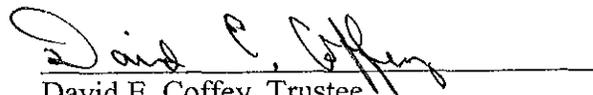
Whereas, Miami Township has received a grant award from the Ohio Department of Transportation to fund 100% of the eligible expenses related to the purchase of landscaping and landscaping materials for beautification along Interstate 675; and

Whereas, Miami Township is obligated to install and maintain said landscaping and landscaping materials for a period of five (5) years in exchange for the awarded funding; and

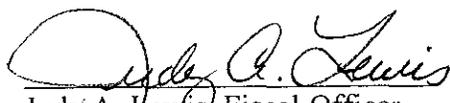
Therefore Be It Resolved, the Miami Township Board of Trustees hereby authorizes the Township Administrator to enter into a contract with the Ohio Department of Transportation and make such commitments as are required per the terms of the contract agreement.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: April 28, 2009
GSR:bph

RESOLUTION #59-2009

RESOLUTION AUTHORIZING AND APPROVING CERTAIN MATTERS RELATING TO THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT BETWEEN MIAMI TOWNSHIP, OHIO (THE "TOWNSHIP"), THE CITY OF MIAMISBURG, OHIO, THE CITY OF SPRINGBORO, OHIO, AND THE COUNTY OF MONTGOMERY, OHIO (THE "CONTRACTING PARTIES"), AUTHORIZING NOTICE OF A PUBLIC HEARING AND OTHER ACTIONS, AND DECLARING AN EMERGENCY

Whereas, Sections 715.72 to 715.83 of the Ohio Revised Code authorizes that one or more municipal corporations and one or more townships enter may enter into a contract ("Contract") and one or more counties in which all of those municipal corporations or townships are located may also enter into a Contract to establish a joint economic development district (the "District") for the purpose of facilitating economic development, creating or preserving jobs and employment opportunities, and improving the economic welfare of the people in this state and in the areas of the parties to that Contract;

Whereas, a Trustee or Trustees of the Board of Trustees of Miami Township, Ohio ("Board of Trustees") has had discussions with an officer or officers of the City of Miamisburg, Ohio, the City Council of Springboro, Ohio and the Board of County Commissioners of Montgomery County regarding the formation of a District and it is proposed that certain property owned by the Township be included in the District, including all or a portion of the property depicted in "Exhibit A" to this Ordinance (the "Property"); and

Whereas, prior to the approval of any ordinance approving the Contract to create a District, this Board of Trustees is required to hold a public hearing concerning the Contract and the District.

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

Section 1. This Board of Trustees hereby finds and determines that (i) the execution and delivery of the Contract, and the inclusion of the Property within the District will facilitate economic development, create or preserve jobs and employment opportunities, and improve the economic welfare within the State and within the District; and (ii) it is in the best interest of the Township to provide for the execution and delivery of any petition relating to any Township land to be included in the District and to satisfy the conditions set forth in the Ohio

Revised Code which must be satisfied before this Board of Trustees may give its approval to the Contract.

Section 2. This Board of Trustees hereby approves the form of the Contract, proposed map of the District, and economic development plan, including all related attachments thereto now on file with the Fiscal Officer of Miami Township, Ohio with such changes as the Township Administrator may approve prior to delivery of notice of the public hearing, which is attached hereto as "Exhibit B" ("Public Notice") as are not materially adverse to the Township and authorizes and directs the Township Administrator to provide Public Notice by this Board of Trustees on the Contract and the creation of the District not less than thirty days prior to the public hearing ("Public Hearing"), which Public Hearing will be held on June 11, 2009, the date designated by the Township Administrator in the Public Notice. Such Public Notice shall be published in the manner set forth in the Ohio Revised Code Section 715.75. The Township Administrator is authorized and directed to make such Contract, map, and economic development plan, including all related attachments available for public inspection in accordance with the provisions of Ohio Revised Code Section 715.75.

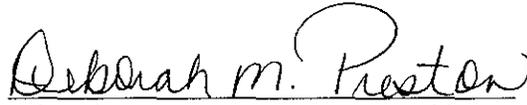
Section 3. The Fiscal Officer of the Township and the Township Administrator are authorized and directed, after the close of the Public Hearing and prior to the final approval of the Contract by this Board of Trustees, as contemplated by Section 715.76 of the Ohio Revised Code, to deliver a copy of the proposed Contract to the Board of County Commissioners of Montgomery County, Ohio as required by Section 715.75 of the Ohio Revised Code.

Section 4. This Board of Trustees authorizes and directs the Township Administrator, the Fiscal Officer of the Township, and all other appropriate officers and employees of the Township, alone or in conjunction with any other officer or employee of the Township to: (a) undertake and continue negotiations with the Contracting Parties and to finalize the Contract pending the delivery of Public Notice, as described in Section 2 hereof, and the execution and delivery of a petition for the inclusion of any Township land to be included in the District; (b) to take such actions as may be necessary or appropriate to obtain signatures of property owners or business owners within the District on the petitions necessary to establish the District; and (c) to take such actions as may be necessary or appropriate to provide for the Public Hearing and other conditions precedent to the final approval of the Contract by this Board of Trustees. This Board of Trustees ratifies, approves, and adopts all actions taken by such officers and employees in connection with the Contract or the establishment of the District.

Section 5. This Board of Trustees of Miami Township, Ohio hereby finds and determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code, and the rules of this Board of Trustees adopted in accordance therewith.

Section 6. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution. Furthermore, 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 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is in the best interest of the Township to proceed with the Contract as soon as possible; therefore this measure shall take effect and be in force from and after its passage.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:

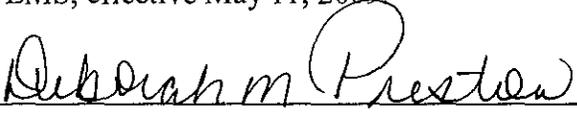

Judy A. Lewis, Fiscal Officer
Passed: May 7, 2009
GSR:bph

RESOLUTION #60-2009

**RESOLUTION AUTHORIZING THE HIRING OF A
FULL-TIME FIREFIGHTER/PARAMEDIC**

- Whereas,** there is a vacancy to be filled in the Division of Fire/EMS; and
- Whereas,** Interim Fire Chief Matthew Queen is making his recommendation; and
- Whereas,** a conditional offer of employment has been made to and accepted by Kyle Steward; and

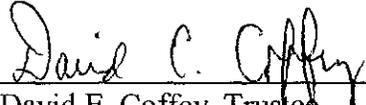
Therefore, Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Kyle Steward as a full-time firefighter/paramedic, at an hourly rate of \$15.75, in the Division of Fire/EMS, effective May 11, 2009



Deborah M. Preston, Trustee President

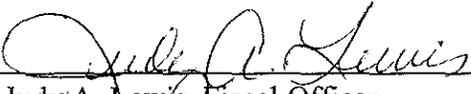


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



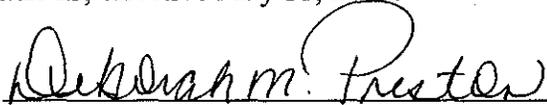
Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GAH:bph

RESOLUTION #61-2009

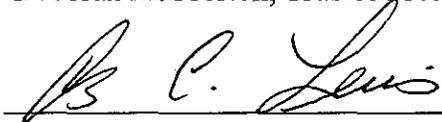
**RESOLUTION AUTHORIZING THE HIRING OF A
FULL-TIME FIREFIGHTER/PARAMEDIC**

- Whereas,** there is a vacancy to be filled in the Division of Fire/EMS; and
- Whereas,** Interim Fire Chief Matthew Queen is making his recommendation; and
- Whereas,** a conditional offer of employment has been made to and accepted by Blain Moore; and

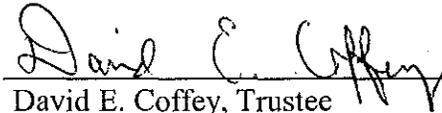
Therefore, Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Blaine Moore as a full-time firefighter/paramedic, at an hourly rate of \$15.75, in the Division of Fire/EMS, effective May 11, 2009.



Deborah M. Preston, Trustee President

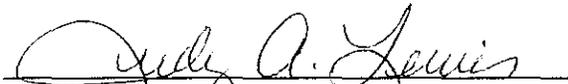


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2009

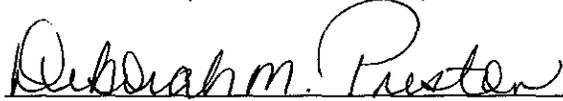
GAH:bph

RESOLUTION #62-2009

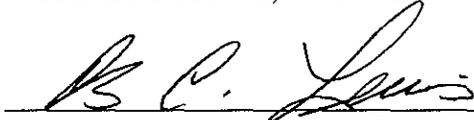
**RESOLUTION AUTHORIZING THE HIRING OF A
FULL-TIME FIREFIGHTER/PARAMEDIC**

- Whereas,** there is a vacancy to be filled in the Division of Fire/EMS; and
- Whereas,** Interim Fire Chief Matthew Queen is making his recommendation; and
- Whereas,** a conditional offer of employment has been made to and accepted by Brian Scott; and

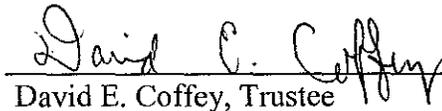
Therefore, Be It Resolved, that the Miami Township Board of Trustees authorizes the hiring of Brian Scott as a full-time firefighter/paramedic, at an hourly rate of \$15.75, in the Division of Fire/EMS, effective May 11, 2009.



Deborah M. Preston, Trustee President

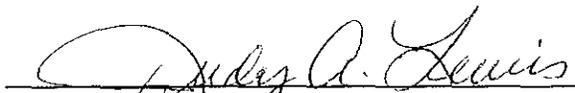


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2009

GAH:bph

RESOLUTION #63-2009

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

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

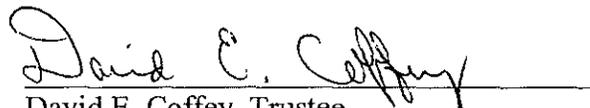
Whereas, Matthew Queen, Interim Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

John Rausch . Grade S-1 \$11.96 / per hour

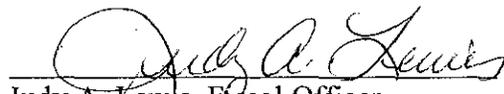
Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective May 11, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed May 11, 2009
GAH:bph

RESOLUTION #64-2009

RESOLUTION TO ACCEPT THE RESIGNATION OF A RECORDING SECRETARY

Whereas, Leslie Karacia has served as the recording secretary for the Miami Township Board of Zoning Appeals and the Miami Township Zoning Commission since May 7, 2003; and

Whereas, Leslie Karacia has served Miami Township in good stead with all appointments; and

Whereas, Leslie Karacia has given notice that she will resign her position, effective April 20, 2009; and

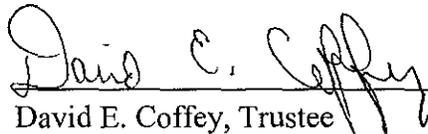
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Leslie Karacia, and the termination of her appointment is effective April 20, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

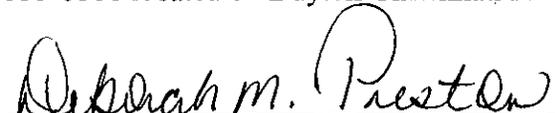
Passed: May 11, 2009

GAH:bph

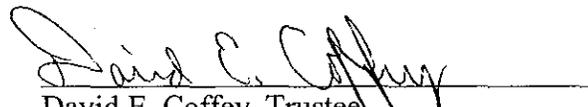
RESOLUTION #65-2009

**RESOLUTION TO GRANT AN EASEMENT DEED FOR PROPERTY
LOCATED ON DAYTON CINCINNATI PIKE**

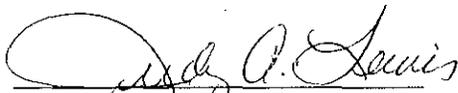
- Whereas,** there was a need to relocate a portion of recreational trail along Dayton Cincinnati Pike due to severe river bank erosion; and
- Whereas,** the River Corridor Subdistrict of The Miami Conservancy District located at 38 East Monument Avenue, Dayton, Ohio, 45402, is requesting an easement on property owned by Miami Township, at Parcel ID #K45-02611-0108; and
- Whereas,** the requested easement deed will allow the Miami Conservancy District to provide continued maintenance of the relocated portion of recreational trail and the removal of the abandoned portion of trail that is constructed on property owned by Miami Township; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorize the Township Administrator to execute the necessary documents to grant an easement deed to The River Corridor Improvement Subdistrict of the Miami Conservancy District at Parcel ID #K45-02611-0108 located on Dayton Cincinnati Pike.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GAH:bph

RESOLUTION #66-2009

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR
CONSULTING SERVICES**

Whereas, Miami Township is desirous of retaining the services of Public Policy Strategies, LLC for certain Economic Development related public policy consulting services; and

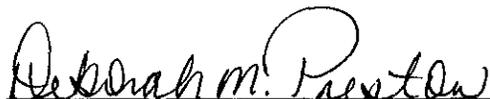
Whereas, those services include but are not limited to:

1. Advancement of economic development related public policies
2. State government lobbying services
3. Written public policy documents related to advocacy communications needed; and

Whereas, the compensation for these services is \$10,000 per month for three months plus reasonable expenses related to office costs; and

Whereas, either Miami Township or Public Policy Strategies, LLC may for any given reason, given 15 days written notice, terminate this agreement; and

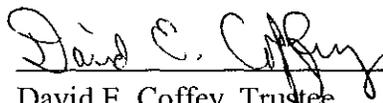
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute a Memorandum of Understanding with Public Policy Strategies, LLC effective immediately.



Deborah M. Preston, Trustee President

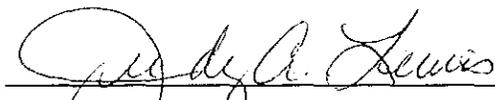


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2009

GAH:bph

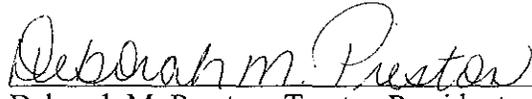
RESOLUTION #67-2009

**RESOLUTION TO ACCEPT THE RESIGNATION OF A PART-TIME
TEMPORARY EMPLOYEE**

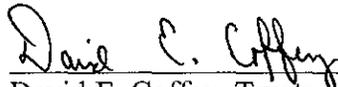
Whereas, Brianne Hoover has been a part-time temporary employee since March 29, 2009; and

Whereas, Brianne Hoover has decided to resign her part-time position for personal reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Brianne Hoover, and termination of her employment is effective June 12, 2009.


Deborah M. Preston, Trustee President

Absent
Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #68-2009

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 May 11, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 11, 2009, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

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

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

5410 South Union Road

Parcel ID #K45-25-11-80

Thomas E. Thygerson (deceased)

5410 South Union Road

Miamisburg, OH 45342

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

Thomas E. Thygerson ADDRESS UNKNOWN

Mortgage Company

The Bank of New York, as trustee for the
holders of the EQCC Asset Backed
Certificates, Series 2001-2

c/o Select Portfolio Servicing, Inc.

3815 South West Temple

Salt Lake City, Utah 84115-4412

RESOLUTION #69-2009

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR ZONING CASE #191-86, FOR
LANDS ZONED "PD-3", PLANNED BUSINESS**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, May 26, 2009; and

Whereas, Zoning Case #191-86, filed by YSI III LLC, proposes adoption of a final development plan for lands zoned "PD-3", Planned Business; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees _____ the Major Modification to the Final Development Plan under Zoning Case #191-86 and _____ the Zoning Commission recommendation.

Deborah M. Preston, Trustee President

Charles C. Lewis, Trustee Vice President

David E. Coffey, Trustee

Attested:

Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:bph

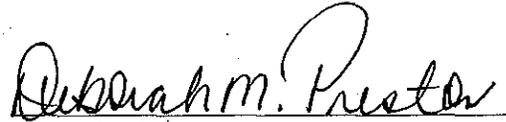
*not voted on
and cannot be
used again*

RESOLUTION #70-2009

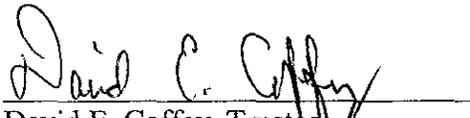
A RESOLUTION APPROVING AN INCREASE IN THE VACATION LEAVE BALANCE AND THE VACATION LEAVE ACCRUAL RATE OF AN EMPLOYEE

- Whereas,** it was recently discovered that the vacation accrual rate for Sgt. Rex Thompson was not correct and has not been correct since July 23, 2006; and
- Whereas,** Sgt. Rex Thompson has been accruing 6.540 hours of vacation leave per pay period since July 23, 2006 instead of the 8.173 hours of vacation leave he should have been accruing per pay period; and
- Whereas,** the Chief of Police has reviewed the police department records and verified the proper vacation accrual rate for Sgt. Rex Thompson; and
- Whereas,** the Chief of Police has recommended that Sgt. Rex Thompson's vacation leave accrual rate be changed to 8.173 hours per pay period effective with pay period #12, beginning May 10, 2009; and
- Whereas,** the Chief of Police has recommended that Sgt. Rex Thompson have 119.22 hours of vacation leave credited to his vacation leave balance with pay period #12, beginning May 10, 2009; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees approves changing Sgt. Rex Thompson's vacation leave accrual rate to 8.173 hours per pay period and adding 119.22 hours of vacation leave to his vacation leave balance effective with pay period #12, beginning May 10, 2009.

SIGNATURE PAGE FOR RESOLUTION #70-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GSR:bph

RESOLUTION #71-2009

**RESOLUTION TO APPROVE A WAGE INCREASE FOR
A PUBLIC WORKS DEPARTMENT ROAD WORKER**

Whereas, John Stewart has successfully served two (2) years as a Road Worker for the Public Works Department; and

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

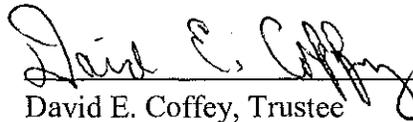
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for John Stewart, Pay Grade 5, Step 4, to \$17.63 per hour, effective May 14, 2009.



Deborah M. Preston, Trustee President

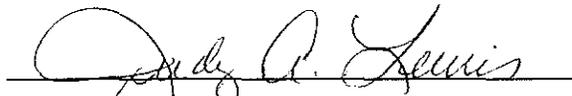


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2009

GAH:bph

RESOLUTION #72-2009

**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 2009 Asphalt and Road Striping Program, at a cost estimated at \$262,000.00; and

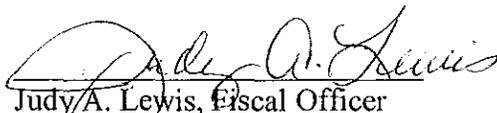
Therefore Be It Resolved, the \$8,750.00 in County aid is to be used to pay part of this cost, leaving an estimated cost of \$253,250.00, for Miami Township to pay.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:

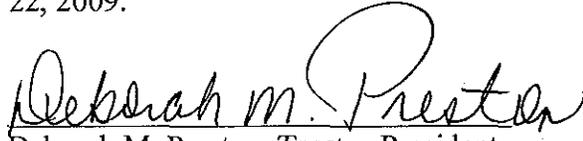

Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GAH:bph

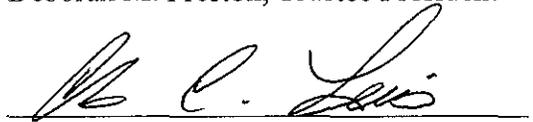
RESOLUTION #73-2009

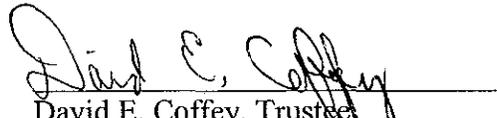
**RESOLUTION TO CHANGE THE STATUS
OF A FULL-TIME FIRE FIGHTER/PARAMEDIC**

- Whereas,** Resolution 9-2009 was passed on January 27, 2009; and
- Whereas,** there has been no change and/or paperwork received changing Karen Basso's prohibitive non-work related medical condition; and
- Whereas;** Karen Basso is medically prohibited from returning to duty without medical restrictions; and
- Whereas,** legal counsel, the fire chief, and the human resources director have reviewed Karen Basso's issue and Resolution 9-2009; and
- Whereas,** a recommendation to terminate the employment of Karen Basso based upon her continued and chronic inability to perform the essential functions of a Fire Fighter/Paramedic and in accordance with State of Ohio and Federal regulations; and

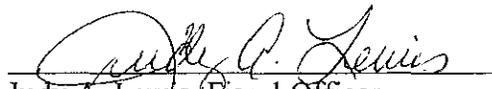
Therefore Be It Resolved, the Board of Trustees authorizes the Township Administrator to take the necessary actions to terminate the employment of Karen Basso effective at 5:00 PM on April 22, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GSR:bph

RESOLUTION #74-2009

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, 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, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 11, 2009, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

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

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

6056 Eleventh Avenue

Parcel ID #K50-184-26-26

&K50-184-26-39

Countrywide Home Loans

7105 Corporate Drive

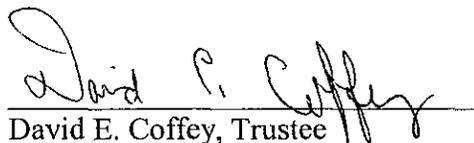
Plano, TX 75024

Mortgage Company

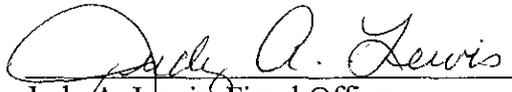
SIGNATURE PAGE FOR RESOLUTION #74-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GSR:bph

RESOLUTION #75-2009

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 6071 First Ave., Miamisburg, Ohio, 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, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 11, 2009, 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:

6071 First Ave.

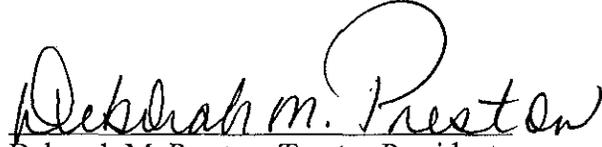
Parcel ID #K50-184-21-10
Marie N Holt
6071 First Avenue
Miamisburg, OH 45342

Julie Barrett
Executrix of the Estate of
Marie N. Holt
161 Dalton Avenue
Carlisle, OH 45005

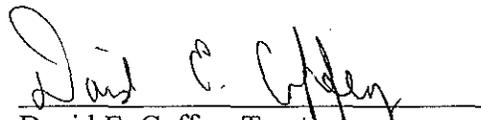
Mortgage Company

Wells Fargo Bank, N. A., as Trustee
for Ownit Mortgage Loan Trust,
Mortgage Loan Asset Backed
Certificates, Series 2006-2
C/O Litton Loan Servicing, LP
4828 Loop Central Drive
Houston, TX 77081-2226

SIGNATURE PAGE FOR RESOLUTION #75-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GSR:bph

RESOLUTION #76-2009

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 6566 S. Union Rd., Miamisburg, Ohio, 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, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 11, 2009, 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:

6566 South Union Road

Parcel ID #K45-25-1-99

La Salle Bank National Association

As Trustee for Merrill Lynch

Mortgage Investors Trust,

Mortgage Loan Asset-Backed

Certificates, Series2006-FF1

C/O Litton Loan Servicing, L.P.

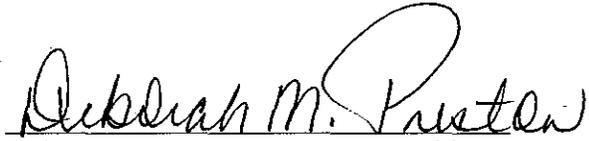
4828 Loop Central Drive

Houston, TX 77081-2226

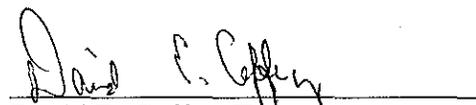
Mortgage Company

None Known

SIGNATURE PAGE FOR RESOLUTION #76-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 11, 2009
GSR:bph

RESOLUTION #77-2009

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 9251 Jane Ave., Miamisburg, Ohio, 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, 2009; and
- Whereas** the Miami Township Board of Trustees conducted said public hearing on May 11, 2009, 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:

9251 Jane Ave.

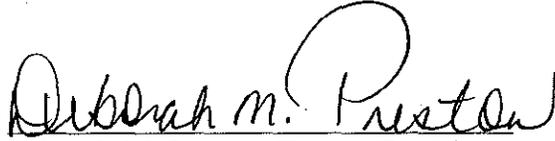
Parcel ID #K50-184-42-8
Nicholas Debrosse
9251 Jane Avenue
Miamisburg, OH 45342

Shawna Debrossee
9251 Jane Avenue
Miamisburg, OH 45342

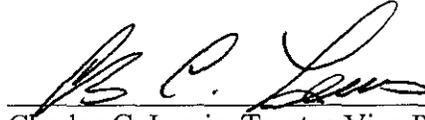
Mortgage Company

Deutsche Bank National Trust
Company as Trustee under Pooling and
Servicing Agreement dated as of
May 1, 2007 Securitized Asset Backed
Receivables LLC Trust 2007-BR3
Mortgage Pass-Through Certificates,
Series 2007-BR3,
c/o
701 Corporate Center Drive
Mailcode NC4743
Raleigh, NC 27607

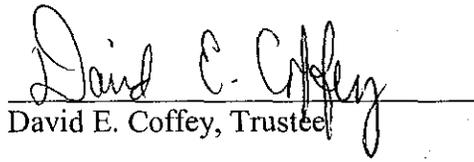
SIGNATURE PAGE FOR RESOLUTION #77-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: May 11, 2009

GSR:bph

RESOLUTION #78-2009

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 2226 Renshaw Ave., 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 26, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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:

2226 Renshaw Ave.

Parcel ID #K47-212-12-11

John P. Stump

2226 Renshaw Ave

Dayton, OH 45439

Kristina L. Stump

2226 Renshaw Ave

Dayton, OH 45439

Mortgage Company

U.S. Bank, N.A. successor by merger

to The Leader Mortgage Company,

LLC successor by merger to The

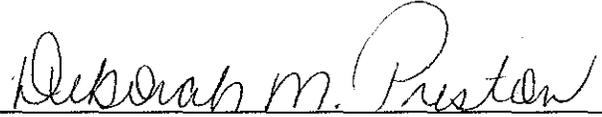
Leader Mortgage Company

c/o U.S. Bank Home Mortgage

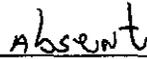
800 Mooreland Street

Owensboro, KY 42303

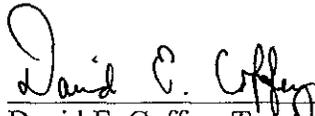
SIGNATURE PAGE FOR RESOLUTION #78-2009 ONLY



Deborah M. Preston, Trustee President

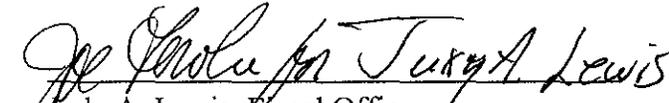


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: May 26, 2009

GSR:bph

RESOLUTION #79-2009

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 5081 Mays Ave., 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 26, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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

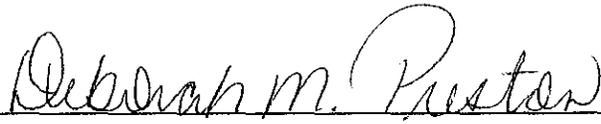
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of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

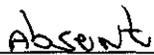
5081 Mays Avenue
Parcel ID #K47-229-13-64
Mike Smith
5081 Mays Ave.
Dayton, OH 45439

Mortgage Company
Wells Fargo Financial Ohio 1, Inc.
c/o Wells Fargo Bank, N.A. (SC)
3476 Stateview Boulevard
Fort Mill, SC 29715 Mac# 7801-013

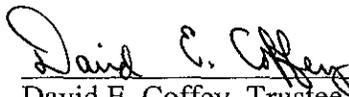
SIGNATURE PAGE FOR RESOLUTION #79-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #80-2009

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 May 26, 2009; and
- Whereas** the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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:

5700 Hollyhock Drive

Parcel ID #K47-232-1-8
Ruben Maull
5700 Hollyhock Drive
Dayton, OH 45449

Mortgage Company

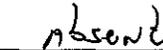
Countrywide Home Loans, Inc.
7105 Corporate Drive
Mail Stop PTX-C-35
Plano, TX 75024

Tiffanie Seigrist-Maull
5700 Hollyhock Drive
Dayton, OH 45449

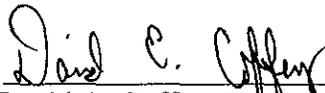
SIGNATURE PAGE FOR RESOLUTION #80-2009 ONLY



Deborah M. Preston, Trustee President

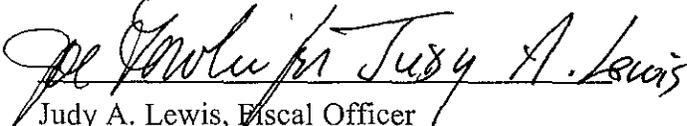


Charles C. Lewis, Trustee Vice President



David A. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #81-2009

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 2194 Lynpark Ave., 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 26, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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

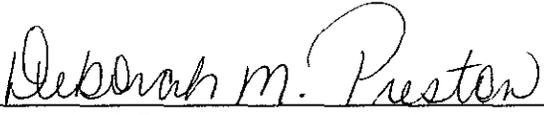
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of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

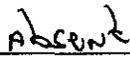
2194 Lynpark Avenue
Parcel ID#K47-212-7-15
Yan P. Mei
2194 Lynpark Avenue
Dayton, OH 45439

Mortgage Company
U.S. Bank Association as Trustee
for RAMP 2006RZ3
c/o GMAC Mortgage Corporation
1100 Virginia Drive
P.O. Box 8300
Fort Washington, PA 19034

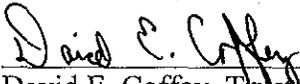
SIGNATURE PAGE FOR RESOLUTION #81-2009 ONLY



Deborah M. Preston, Trustee President

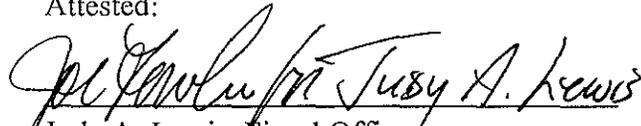


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #82-2009

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 2500 Delavan 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 May 26, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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:

2500 Delavan Drive

Parcel ID #K45-211-4-5
Shirley A. Czimbalmos
2500 Delavan Drive
Dayton, OH 45459

Shirley A. Czimbalmos
35 Cosentino Court
Columbia, SC 29229

Mortgage Company

Wells Fargo Bank, N.A. successor
by merger to Wells Fargo Home
Mortgage, Inc.
3476 Stateview Boulevard
Fort Mill, SC 29715
Mac# 7801-013

SIGNATURE PAGE FOR RESOLUTION #82-2009 ONLY

Deborah M. Preston
Deborah M. Preston, Trustee President

Absent
Charles C. Lewis, Trustee Vice President

David E. Coffey
David E. Coffey, Trustee

Attested:

Judy A. Lewis
Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #83-2009

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 7429 Mohawk Trail Rd., 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 May 26, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 26, 2009, 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:

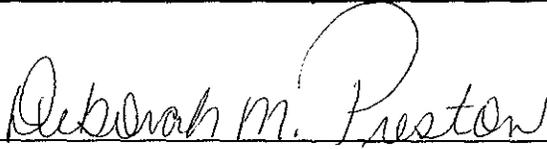
7429 Mohawk Trail Rd.
Parcel ID#K45-187-18-13
Robert H. Saylor
7429 Mohawk Trail Road
Dayton, OH 45459

Linda M. Saylor
7429 Mohawk Trail Road
Dayton, OH 45459

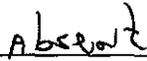
Linda M. Saylor
100 Cannonbury Court, Apt 1
Dayton, OH 45429

Mortgage Company
U.S. Bank, National Association, ND
P.O. Box 1038, M/L 1295
Cincinnati, OH 45201-1038

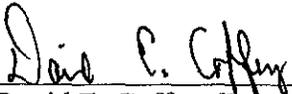
SIGNATURE PAGE FOR RESOLUTION #83-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

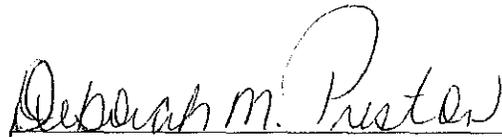
RESOLUTION #84-2009

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

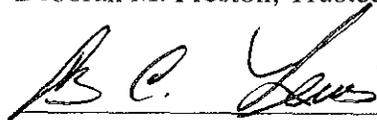
Whereas, Eric Harper has been a part-time FF/EMT since May 1, 2009; and

Whereas, Eric Harper has decided to resign his part-time position as a result of personal reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Eric Harper, and termination of his employment is effective June 9, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:sld

RESOLUTION #85-2009

**RESOLUTION TO APPROVE A PAY INCREASE
FOR A DIVISION OF FIRE/EMS EMPLOYEE**

Whereas, Rebekah Biggs has successfully served one year as a Fire Administrative Assistant I for the Miami Township Division of Fire & EMS; and

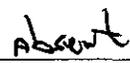
Whereas, Interim Fire Chief Matthew Queen has recommended a wage increase; and

Whereas, the Miami Township Board of Trustees have reviewed the recommendation of Interim Fire Chief Matthew Queen; and

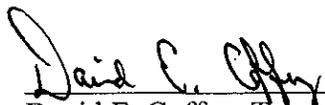
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Rebekah Biggs to Step 4, Pay Grade 7, at a rate of \$14.91 per hour effective April 14, 2009.



Deborah M. Preston, Trustee President

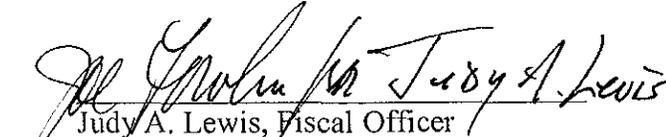


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #87-2009

**RESOLUTION TO AWARD A CONSTRUCTION BID FOR THE OPWC
SPRING VALLEY PIKE PHASE V IMPROVEMENTS PROJECT**

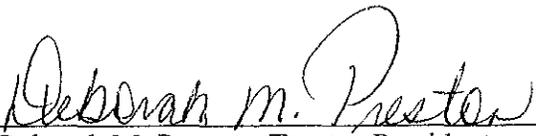
Whereas, Miami Township has entered into an agreement with the Ohio Public Works Commission for the Spring Valley Pike, Phase V Improvements Project; and

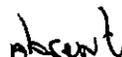
Whereas, the Public Works Department utilized Northwest Consultants Inc., for professional bidding services to prepare bidding documents and associated administrative functions necessary for the Spring Valley Pike project; and

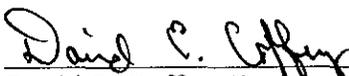
Whereas, the request for bids, through the proper media sources, has been made by Northwest Consultants Inc., and according to O.R.C. 5575.01; and

Whereas, five (5) bids were submitted and have been reviewed by Northwest Consultants Inc., and a recommendation has been made by the Public Works Director; and

Therefore Be It Resolved, the Board of Trustees authorize the Township Administrator to execute an agreement with L.J. DeWeese Co., Inc., 3616 Tipp-Cowlesville Road, Tipp City, Ohio, 45371, to provide construction services for the Spring Valley Pike, Phase V Improvements Project at a cost of \$665,133.05 plus potential adjustments for increases in materials.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:

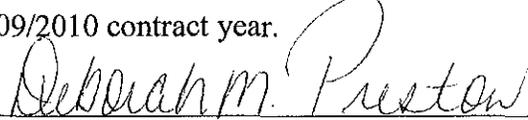

Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GSR:bph

RESOLUTION #88-2009

RESOLUTION TO AUTHORIZE HEALTH INSURANCE WITH ANTHEM FOR THE 2009/2010 CONTRACT YEAR

- Whereas,** Miami Township participates in medical and prescription benefits for the employees and qualifying individuals; and
- Whereas,** the Department Heads and Township Administration, after considerable consideration of the issues, have made a recommendation to the Elected Officials, and
- Whereas,** the recommendation is to 1) change to Anthem as the carrier, 2) provide Anthem's high deductible health plan option (presented to all as Lumenos HSA Option 3), 3) maintain employee premium contributions for non-union employees at 10%, and 4) put into place a wellness plan the contract year for both non-union and union employees; and
- Whereas,** Anthem's Lumenos HSA Option 3 (HDHP) monthly premiums are as follows:
- | | |
|----------------------|------------|
| Employee Only: | \$342.45 |
| Employee + Spouse: | \$752.72 |
| Employee + Children: | \$578.06 |
| Family: | \$1,057.16 |
- Whereas,** a renewal date of July 1, 2009, shall be used; and

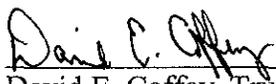
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Greg Hanahan, Township Administrator, to enter into a contract with Anthem to institute the Lumenos HSA Option 3 plan for the 2009/2010 contract year.



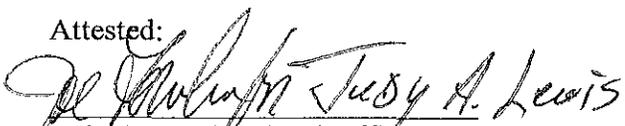
Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: May 26, 2009
GAH/lrdg

RESOLUTION #89-2009

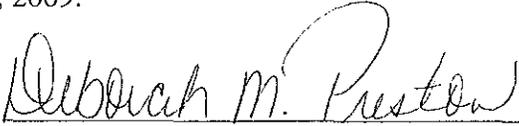
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

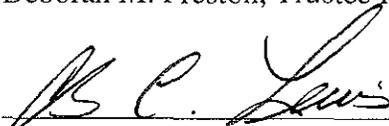
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

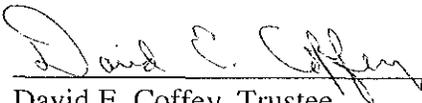
Whereas, Matthew Queen, Interim Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Brian Fleming . Grade S-1 \$11.96 / per hour

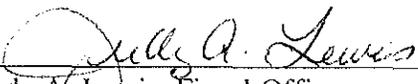
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective June 9, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:sld

RESOLUTION #90-2009

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

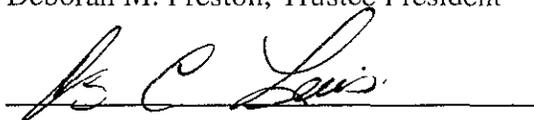
Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 9, 2009; and

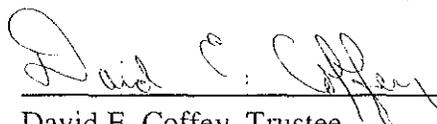
Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a major modification to the preliminary development plan for lands zoned "PD-5", Planned Mixed-Use; and

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 upholds the Zoning Commission recommendation.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:sld

RESOLUTION #91-2009

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 June 9, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 9, 2009, 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:

6032 Sixth Ave.

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

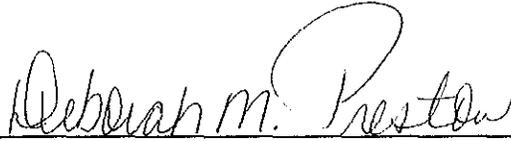
Kathleen J. Wynne
6032 Sixth Avenue
Miamisburg, OH 45342

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

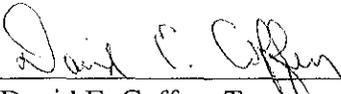
SIGNATURE PAGE FOR RESOLUTION #91-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 9, 2009

GSR:sld

RESOLUTION #92-2009

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on June 9, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 9, 2009, 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

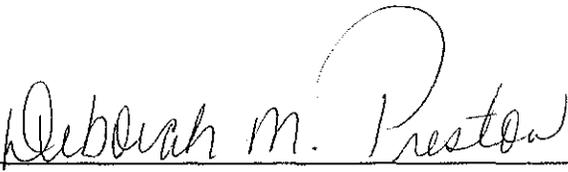
Joe E. Lewis
7499 Martz-Pauline Road
Franklin, OH 45005

Mortgage Company

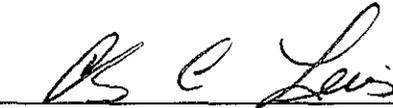
Manufacturers and Traders Trust Company,
as Trustee, on behalf of the holders of the
Home Equity Loan Pass-Through
Certificates, Series 1999-2
c/o Select Portfolio Servicing, Inc.
3815 S. West Temple
Salt Lake City, UT 84115

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

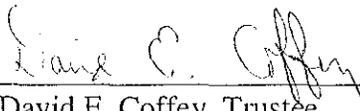
SIGNATURE PAGE FOR RESOLUTION #92-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 9, 2009

GSR:sld

RESOLUTION #93-2009

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

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

Whereas, Matthew Queen, Interim Fire Chief, is making his recommendation to hire the following individual as a part-time employee; and

Chris Ferguson 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 in the Division of Fire & EMS, effective June 23, 2009.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: June 23, 2009

GSR:sld

RESOLUTION #94-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A CONTRACT RELATING TO THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT BETWEEN MIAMI TOWNSHIP, OHIO, THE CITY OF MIAMISBURG, OHIO AND MONTGOMERY COUNTY, OHIO, AND AUTHORIZING OTHER ACTIONS NECESSARY TO ESTABLISH THE DISTRICT

- Whereas,** Sections 715.72 to 715.81 of the Ohio Revised Code authorize one or more municipal corporations, one or more townships and one more counties to enter into a contract (the "Contract") to establish a joint economic development district (the "District") for the purpose of facilitating economic development, creating or preserving jobs and employment opportunities and improving the economic welfare of the people in this state and in the areas of the parties to that Contract; and
- Whereas,** the Board of Trustees of Miami Township, Ohio (the "Township") have discussed with the City of Miamisburg, Ohio (the "City") and Montgomery County, Ohio (the "County") the formation of a District to include certain property depicted in Exhibit A to this Resolution (the "Area"); and
- Whereas,** in order to provide for the inclusion of the Area within the proposed District, (i) a majority of the owners of property located within the Area, signed a petition (the "Property Owner's Petition") requesting their properties inclusion in the District and (ii) a majority of the owners of businesses located within the Area signed a petition (the "Business Owners Petition") requesting the inclusion of the property occupied by those businesses inclusion in the District; and
- Whereas,** the Township, the City and the County have prepared an economic development plan (the "Plan"), including a schedule for the provision of new, expanded or additional services facilities within the District and a schedule for collection of an income tax within the District, all as provided in Section 715.75 of the Revised Code; and
- Whereas,** as required by Section 715.75 of the Ohio Revised Code, after providing at least thirty days public notice of the time and place of the public hearing in a newspaper of general circulation within the Township, this Board of Trustees held a public hearing concerning the Plan, the Contract and the District on June 9, 2009, commencing at 7:00 p.m.; and
- Whereas,** this Board of Trustees believes that the creation of the District is in the best interest of the Township; and

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

Section 1. This Board hereby finds and determines that (i) the execution and delivery of the Contract, and the inclusion of the properties within the Area governed by the District will facilitate economic development, create or preserve jobs and employment opportunities and improve the economic welfare within the State and within the Township, (ii) a majority of the owners of the property to be included within the District have signed the Property Owners' Petition and a majority of the owners of the businesses to be included within the District have signed the Business Owners' Petition, (iii) no electors reside within the Area, and no part of the Area will be zoned for residential use as of the effective date of the formation of the District, (iv) the Property is located within the Township and within the proposed Area, and (v) it is in the best interest of this Board and the Township to provide for the execution and delivery of the Contract and to satisfy the conditions subsequent thereto as set forth in the Ohio Revised Code which must be satisfied to create the District.

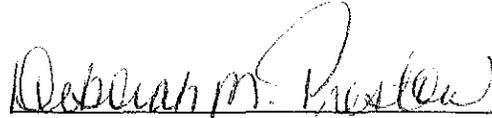
Section 2. The Contract, the Plan, and map of the Area, each in substantially the forms now on file in the office of the Fiscal Officer, are each hereby approved and the Board of the Township hereby authorizes the execution and delivery of the Contract on behalf of the Township by any one or more members of this Board and the Fiscal Officer, with any changes therein as are permitted by applicable law and not adverse to the Township, and the fact that any such changes are permitted by applicable law and not adverse to the Township shall be evidenced by execution of the Contract by those officers.

Section 3. The Fiscal Officer of the Township is hereby authorized and directed to deliver a copy of the signed Contract, together with a certified copy of this resolution together with the other items described in Section 715.76 of the Revised Code to the County Commissioners of Montgomery, Ohio as required by Section 715.76 of the Ohio Revised Code.

Section 4. This Board authorizes and directs each of the Trustees, the Zoning 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 Contract by the Township, including but not limited to the provision of notice to property owners or business owners contemplated by Section 715.76 of the Revised Code. This Board ratifies approves and adopts all actions taken by such officers and employees in connection with the Contract or the establishment of the District.

Section 5. 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.

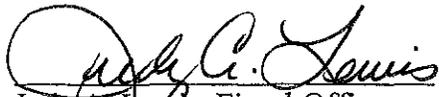
- Section 6. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all such deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 7. 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 8. 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

absent
David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 11, 2009
GSR:sld

RESOLUTION #95-2009

**RESOLUTION TO APPROVE A PAY INCREASE FOR A PART TIME
ZONING INSPECTOR**

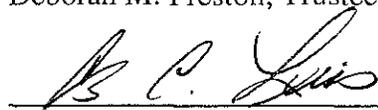
Whereas, Wayne Woodall has successfully served three years as a part time Zoning Inspector for the Planning & Zoning Department; and

Whereas, the Assistant Director of Planning & Zoning has conducted a performance evaluation and is recommending an increase in pay to Step 7, Pay Grade PT6; and

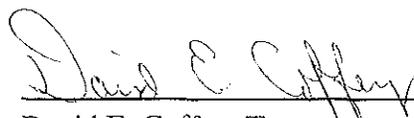
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Wayne Woodall to Step 7, Pay Grade PT6, at a rate of \$17.68 per hour, effective June 5, 2009.



Deborah M. Preston, Trustee President

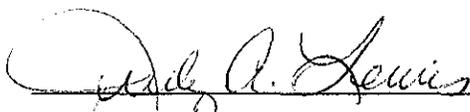


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:slf

RESOLUTION #96-2009

**RESOLUTION TO REQUEST THE CITY OF DAYTON
RENAME SECTIONS OF MIAMISBURG-SPRINGBORO PIKE AND
AUSTIN PIKE, AS PRESCRIBED BY THE MIAMI TOWNSHIP -
DAYTON JOINT ECONOMIC DEVELOPMENT DISTRICT
AGREEMENT**

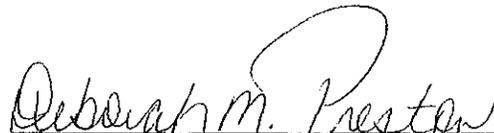
Whereas, Miami Township and the City of Dayton have entered into a Joint Economic Development District (JEDD); and

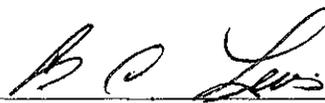
Whereas, a request was made by the JEDD Board; and

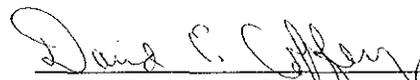
Whereas, the agreement between the parties authorizes the use of City power within the JEDD District, when requested by the Miami Township Board of Trustees; and

Whereas, there is a need to rename Miamisburg-Springboro Pike from SR 741 to Wood Road and Austin Pike from SR 741 to Washington Church Road; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby requests that the City of Dayton Commission exercises the City's charter authority, and renames Miamisburg-Springboro Pike from SR 741 to Wood Road and Austin Pike from SR 741 to Washington Church Road to Austin Boulevard as prescribed by the Miami Township - Dayton Joint Economic Development District Agreement.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:sld

RESOLUTION #97-2009

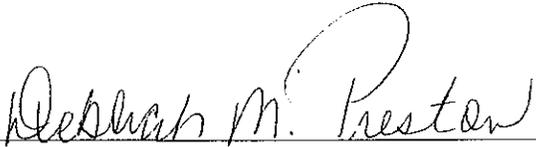
**RESOLUTION TO AUTHORIZE THE TOWNSHIP
ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR
CONSTRUCTION INSPECTION SERVICES FOR THE SPRING
VALLEY PIKE, PHASE V IMPROVEMENTS PROJECT**

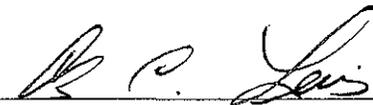
Whereas, Miami Township has entered into an agreement with the Ohio Public Works Commission for the Spring Valley Pike, Phase V Improvements Project; and

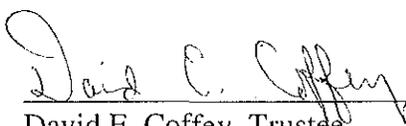
Whereas, the Public Works Department has a need to utilize professional construction inspection services necessary for the Spring Valley Pike project; and

Whereas, the Public Works Director is giving his recommendation; and

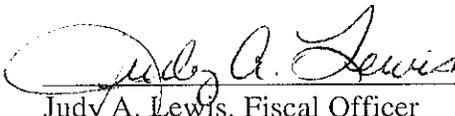
Therefore be it Resolved, the Board of Trustees authorizes the Township Administrator to execute an agreement with the Board of County Commissioners for the County Engineer's Office to provide construction inspection services for the Spring Valley Pike, Phase V Improvements Project at a cost not to exceed 2% of the actual construction costs.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:sld

RESOLUTION #98-2009

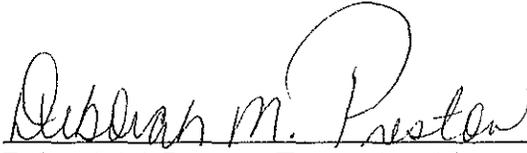
RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AND INDUCEMENT AGREEMENT BETWEEN MIAMI TOWNSHIP, OHIO AND MONTGOMERY COUNTY, OHIO IN CONNECTION WITH THE DEVELOPMENT AND FINANCING OF TRANSPORTATION PROJECTS WITHIN THE TOWNSHIP AND THE COUNTY

- Whereas,** pursuant to a Cooperative Agreement by and among the Township, the City of Miamisburg, the City of Springboro, and the Miamisburg City School District dated as of December 15, 2005, as amended by a First Amendment to Cooperative Agreement dated as of July 8, 2008, and supplemented by a Supplement to Cooperative Agreement dated as of January 8, 2009 (the "Cooperative Agreement"), the Township has heretofore adopted legislation exempting certain property identified in the Cooperative Agreement from real property taxes and requiring the owners thereof, to make payments in lieu of taxes ("Service Payments"); and
- Whereas,** pursuant to the Cooperative Agreement, the Township has agreed to pay certain obligations, including debt service related to the payment of costs of public infrastructure identified therein, comprising the Austin Road Interchange and related improvements, and certain other amounts identified therein; and
- Whereas,** the Township desires to provide incentives for RG Properties, Inc., to develop its property in the northeast quadrant of the Austin Road Interchange (the "Northeast Quadrant"), and to do so has determined that it will be necessary and it is in the best interest of the Township to fund up to \$6 million of public improvements ("Township Improvements") in the Northeast Quadrant; and
- Whereas,** Montgomery County has agreed to fund \$10 million of additional public improvements in the Northeast Quadrant and has indicated to the Township that it will fund such public improvements, subject to certain conditions, provided that the Township will assign Service Payments in an amount sufficient to enable the County to repay any indebtedness incurred by the County to fund such indebtedness; and
- Whereas,** the Township desires to assign to the County, subject to the obligations of the Township under the Cooperative Agreement, and to the extent permitted by law, its interest in the Service Payments derived from parcels directly benefitting from such public improvements to funded in the Northeast Quadrant in order to induce the County to incur indebtedness, in addition to other to be indebtedness incurred by the County, to fund public improvements in the Northeast Quadrant, the terms of such assignment being set forth generally in an Assignment and Inducement Agreement (the "Assignment") to be entered into between the County and the Township; and

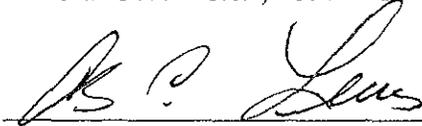
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the following:

- Section 1. This Board hereby finds and determines that in consideration of the County's representation that it shall fund \$10 million of public improvements in the Northeast Quadrant, and its willingness to advance funds on behalf of the Township to provide funding for the Township Improvements, it is in the best interest of the Township to enter into (i) the execution and delivery of the Assignment will facilitate economic development, create or preserve jobs and employment opportunities and improve the economic welfare within the State and within the Township, and (ii) it is in the best interest of this Board and the Township to provide for the execution and delivery of the Assignment.
- Section 2. The Board of Trustees of the Township hereby authorizes the execution and delivery of the Assignment on behalf of the Township by two or more members of this Board. Such Assignment shall be in the form now on file with the Fiscal Officer with any changes therein as are permitted by applicable law, and determined by such officers to be in the best interest of the Township, and the fact that any such changes are permitted by applicable law and in the best interest of the Township shall be conclusively evidenced by execution of the Assignment by those officers. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Assignment.
- Section 3. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.
- Section 4. It is found and determined that all formal actions of this Board concerning and relating to the passage of this ordinance were passed in an open meeting of this Board, and that all such deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 5. 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 6. This Resolution shall take effect from and after its adoption, as provided by law.

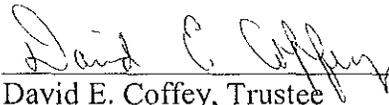
SIGNATURE PAGE FOR RESOLUTION #98-2009 ONLY



Deborah M. Preston, Trustee President

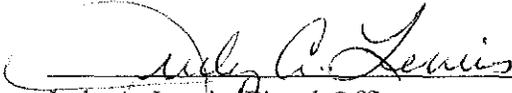


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: June 9, 2009

GSR:bph

RESOLUTION #99-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A RENEWABLE LEASE- PURCHASE AGREEMENT FOR THE FINANCING OF A PROJECT OR A PORTION THEREOF AND AUTHORIZING AND APPROVING 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, rebuild, repair or furnish sites, buildings, equipment or other personal property for an authorized public purpose; and
- Whereas,** in order to finance 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") now desires acquire certain real property described in Exhibit A attached hereto for the purpose of creating and maintaining a storm water retention area necessary to enable the efficient and safe operation and maintenance of certain highway and transportation infrastructure in the region (the "Project"), and in order to implement the Project: (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 with an option to purchase the Project at the end of the final term of the Lease and (b) a Ground Lease Agreement (the "Ground Lease") under which the Township will lease to OTA Leasing the Project 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 rights, title and interests under the Ground Lease and under the Lease to the trustee (the "Trustee") under the Master Trust 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 \$2,600,000 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, 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 of the Political Subdivision.* This Governing Body hereby finds and determines that (i) the Project will be public property to be used for public purposes, (ii) the Project is essential to the proper, efficient and economic operation of the Township (iii) in order to acquire the Project, the Township accept an assignment of that certain Option Agreement (the "Option Agreement"), dated as of June 3, 2008, as amended from RG Properties, Inc. the "Assignment"), and (iv) in order to implement the financing of the Project, 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 Assignment and the Option Agreement, in substantially the forms on file in the office of the Fiscal Officer of the Township (the "Fiscal Officer") are hereby approved and the Governing Body hereby authorizes (i) the execution and delivery of the Assignment, (ii) the exercise of the option to purchase by the Township set forth in the Option Agreement, and (iii) the acquisition of the Project by the Township on the terms and conditions set forth in the Option Agreement, with any 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 Assignment and the exercise of the Option Agreement by the Governing Body.

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 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 Ground Lease, the Lease, the Supplemental Indenture and the Collateral Documents by the Governing Body.

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

Subject to and in consideration of the execution and delivery of the Ground Lease, the Lease and the Supplemental Indenture on behalf of the Township, the costs of the Project, including, but not limited to, the reimbursement of moneys advanced by the Township for the acquisition or construction of 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 the 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 aggregate shall not exceed \$2,500,000 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 acknowledges that the principal amount of the Certificates shall consist of the aggregate purchase price of the Project, any moneys needed to fund any reserves (which shall in no event exceed ten percent (10%) of the aggregate principal amount of the Certificates) that the Original Purchaser determines are necessary and appropriate for the Certificates to be issued on the terms most favorable to the Political Subdivision and that will serve as a source of payment, in part if necessary, for the public obligations in which the Certificates constitute fractionalized interests (which determination shall be confirmed by the Fiscal Officer by such Fiscal Officer's execution of the certificate provided for in the Lease (the "Lease Certificate")), and the costs of issuance of the Certificates which the

Fiscal Officer determines are necessary and reasonable in light of the character of the Certificates.

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 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 Political Subdivision, 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 _____ 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

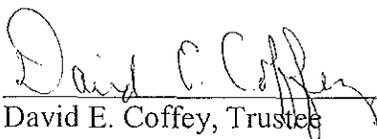
action, were in meetings open to the public, in full compliance with applicable legal requirements.

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.

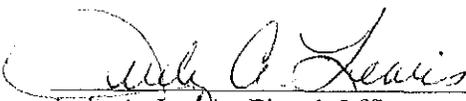
Section 12. *Effective Date.* This Resolution shall take effect from and after its passage, as provided by law.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 9, 2009
GSR:bph

RESOLUTION #100-2009

RESOLUTION TO PROVIDE FOR APPROVAL OF THE AUSTIN CENTER JOINT ECONOMIC DEVELOPMENT DISTRICT

Whereas, Miami Township, Montgomery County, Ohio (the "Township"), the City of Miamisburg, Ohio, the City of Springboro, Ohio, and the County of Montgomery, Ohio (the "Contracting Parties") have negotiated and intend to enter into an Austin Center Joint Economic District Contract (the "Contract") to create and provide for the operation of the Austin Center Joint Economic Development District (the "District") in accordance with Sections 503.01 and 715.72 to 715.83 of the Revised Code for their mutual benefit and for the benefit of their residents and of the State of Ohio (the "State"); and

Whereas, the Contract is "Entered Into" as of the date the last Contracting Party executes the Contract; and

Whereas, it is the purpose of the District to, facilitate economic development to create or preserve jobs and employment opportunities; and to improve the economic welfare of the people in the State, the Township, the City of Miamisburg, the City of Springboro, and Montgomery County, Ohio and the District and to achieve this purpose it is appropriate for the District to include commercial and office development and potential residential development including, but not limited to, mixed use development; and

Whereas, it is necessary that this Resolution take effect immediately upon its passage to provide for the immediate preservation of the public peace, property, health and safety and for the further reason that the immediate effectiveness of this Resolution is required to provide for the filing of this Resolution in a timely manner with the Board of County Commissioners of each County within which a Contracting Party is located so that the approval of the Contract may be achieved and the Contract may go into effect as soon as possible in order to achieve economic development and other benefits for the residents of the Contracting Parties and the State; and

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

Section 1. This Board finds and determines that (i) this Board held a public hearing concerning the Contract at 6 p.m. on June 11, 2009, in accordance with Section 715.75 of the Revised Code, (ii) 30 days' public notice of the time and place of that public hearing was provided in the *Dayton Daily News* a newspaper of general circulation in the Township, (iii) during the 30-day period prior to that public hearing, a copy of the text of the Contract together with a description of the area or areas to be included in the District (including a map), and an economic development plan, in accordance with Section 715.75(C) of the

Revised Code, were on file for public examination in the office of the Fiscal Officer, (iv) public comment and recommendations on the proposed Contract were made pursuant to the public hearing, and (v) the Contract is on file with the Fiscal Officer.

Section 2. This Board approves the Contract now on file with the Fiscal Officer and authorizes the Township Administrator and the Director of Law to sign the Contract.

Section 3. This Board desires that the Contract be deemed entered into as of the date the last Contracting Party executes the Contract.

Section 4. A copy of the text of the Contract and other documents referred to in Section 1 shall remain on file in the office of the Fiscal Officer.

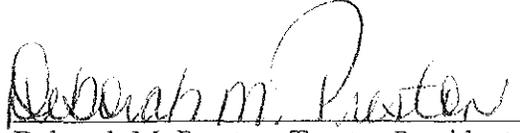
Section 5. The Township Administrator is authorized, on behalf of the Township, to file or cause to be filed, jointly with the other Contracting Parties, with the legislative authority of the County of each Contracting Party, (i) a signed copy of the Contract, (ii) a description of the area or areas to be included in the District, including a map, (iii) the economic development plan as described in Section 715.75(C), (iv) a certified copy of this Resolution, (v) a signed certificate of the Township that the public hearing has been held, the date of such hearing and evidence of the publication of the notice of such hearing, (vi) a petition signed by a majority of the owners of the property located within the area or areas to be included in the District and (vii), if applicable, a petition signed by a majority of the owners of businesses located within the area or areas to be included in the District.

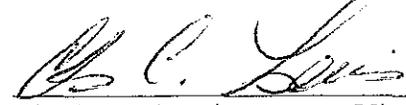
Section 6. The Township Administrator, the Director of Law, and other Township officials, as appropriate, are each authorized to take such actions, or to cause such actions to be taken, on behalf of the Township, including signing agreements, petitions or other instruments contemplated by the Contract or deemed necessary or appropriate by the Township, in order to achieve approval of the Contract and to accomplish the purposes of this Resolution and the Contract.

Section 7. This Board, pursuant to the Contract, hereby appoints _____ to serve as a Member of the District's Board, representing Miami Township, Montgomery County, Ohio.

Section 8. This Board finds and determines that all formal actions of this Board concerning and relating to the enactment of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 9. This Resolution shall take effect from and after the earliest period allowed by law.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: June 11, 2009
GSR:sld

RESOLUTION #101-2009

RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION OF A 1.2 MILL REPLACEMENT TRASH LEVY

Whereas, the Miami Township Board of Trustees provides efficient and effective trash collection and disposal services to the residents paid for through a tax levy; and

Whereas, the residents want 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 1.2 mill, as provided for in the ORC 7505.19 (I); and

Whereas, the ORC 5705.03 (B), requires the Township 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, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 1.2 mill trash levy replacement would generate, for the purpose of trash collection as provided for under ORC 5705.19 (V), if approved in the November 2009 general election, to replace the existing 1.2 mill trash levy, which expires collection year December 31, 2009.

SIGNATURE PAGE FOR RESOLUTION #101-2009 ONLY

absent

Deborah M. Preston, Trustee President

B. C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: June 23, 2009

GSR:sld

RESOLUTION #102-2009

**RESOLUTION TO APPOINT THE DAYTON MALL JOINT
ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBERS**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #94-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees are responsible for appointing two members to the Dayton Mall Joint Economic Development District (JEDD); and
- Whereas,** Gregory Hanahan is appointed to represent Miami Township on the JEDD Board, and Gregory Rogers is appointed to represent owners of Businesses of the District on the JEDD Board; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Gregory Hanahan, to represent Miami Township on the Dayton Mall JEDD Board; and Gregory Rogers, to represent the Business owners of the District on the Dayton Mall JEDD; as required by contract, effective immediately.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis

Passed: June 23, 2009

GAH:sld

RESOLUTION #103-2009

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 2242 Polo Park 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 June 23, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 23, 2009, 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:

2242 Polo Park

Parcel ID #K47-230-20-17
Chad Coppler
2242 Polo Park Drive
Dayton, OH 45439

Mortgage Company

Deutsche Bank National Trust
Company, as Trustee for Soundview
Home Loan Trust 2006-WF2
c/o Wells Fargo Bank, N.A. (SC)
3476 Stateview Boulevard
Fort Mill, SC 29715 Mac# 7801-013

RESOLUTION #104-2009

**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>
Brian Scott	6 years, 9 months, 10 days

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: June 23, 2009
GGR:sld

RESOLUTION #105-2009

**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>
Kyle Steward	2 years, 3 months, 18 days

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: June 23, 2009
GSR:sld

RESOLUTION #106-2009

RESOLUTION TO HIRE A PARKS WORKER

- Whereas,** there is a vacancy in the position of Parks Worker; and
- Whereas,** an internal/external posting was made and an interview process was conducted, per Miami Township policy, to determine the best and most qualified candidate for the position; and
- Whereas,** based on the results of the selection process, the Public Works Director is recommending that Michael Dalton (candidate), be hired to the position of Parks Worker, with a six (6) month probation from the date of hire; and
- Whereas,** the candidate has accepted a conditional offer to the position of Parks Worker; and,
- Whereas,** the candidate, providing he passes the selection process, will be hired in at an hourly rate of \$13.93, Pay Grade 6, Step 1; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Public Works Director to take the necessary selection process steps to ensure that the candidate is qualified to be a Parks Worker; and
- Further Be It Resolved,** upon the candidates passing of the selection process, the Public Works Director may set the candidates hire date after the passing of this resolution but no later than June 30, 2009; and
- Lastly be It Resolved,** should the candidate fail to pass any portion of the selection process such that the result is the rescinding of the conditional offer of employment, this resolution will cease to have effect.

absent

Deborah M. Preston, Trustee President

B. C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: June 23, 2009
GSR:sld

RESOLUTION #107-2009

**RESOLUTION APPROVING THE PURCHASE OF ROAD
DE-ICING SALT FOR THE 2009-2010 WINTER SEASON**

- Whereas,** there is a need to purchase de-icing salt for the winter of 2009-2010; and
- Whereas,** requests for bids have been made through the Southwest Ohio Purchasers for Government (SWOP4G); and
- Whereas,** Miami Township has joined this bid for 3,500 tons of de-icing salt; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees accepts the lowest and best bid from Cargill Inc.-Deicing Technology at \$63.60 per ton dumped at the Miami Township Public Works facility, 8580 Miamisburg-Springboro Pike, Miamisburg, Ohio 45342.

absent

Deborah M. Preston, Trustee President

B.C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: June 23, 2009

GSR:sld

RESOLUTION #108-2009

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 07/01/2009 through 06/30/2010; and
- Whereas,** eligibility for employees covered by a collective bargaining agreement means full-time regular employees whose union has signed a separate and respective Memorandum of Understanding; and
- Whereas,** the Human Resources Director, Lisa R. deGuzman, is recommending FlexBank as the third party administer to the IRS-regulated financial accounts that may include, but are not limited to Heath Savings Accounts, Flex Spending Accounts, and Heath Reimbursement Accounts; and
- Whereas,** the IRS-regulated financial accounts will incur administrative costs, which Miami Township has agreed to pay per month, per eligible and participating non-union, union employee or elected official; and
- Whereas,** the IRS-regulated financial accounts are not an entitlement of any eligible non-union or union employee or eligible elected official; and
- Whereas,** the IRS-regulated financial account benefits are being made available by the Trustees only for the plan year of 07/01/2009 through 06/30/2010; 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 #108-2009 ONLY

absent

Deborah M. Preston, Trustee President

Ch. C. Lewis

Charles C. Lewis, Trustee Vice President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer

Passed: June 23, 2009

GSR:lrdg

RESOLUTION #109-2009

**RESOLUTION TO CONTRACT FOR FINANCIAL
CONSULTING SERVICES**

- Whereas,** the Board of Trustees of Miami Township desires to hire a consultant for financial consulting services related to development at the Austin Road Interchange; and
- Whereas,** those services will provide TIF revenue projections for the purpose of comparing and confirming previous TIF revenue projections done by others, therefore establishing due diligence on behalf of the Board of Trustees to have accurate TIF revenue projections, as well as identifying any discrepancies in previous projections; and
- Whereas,** those TIF revenue projections will be compared to obligations both existing and proposed; and
- Whereas,** Miami Township desires to hire MuniCap, Inc. to perform those financial consulting services related to the Austin Road Interchange TIF districts; and
- Now, Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes Gregory A. Hanahan to execute the necessary agreements to enter into an agreement with MuniCap, Inc. for financial consulting services at the Austin Road Interchange at a cost not to exceed \$25,000 plus actual out of pocket expenses per the terms of the final agreement.

absent

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice-President

David E. Coffey

David E. Coffey, Trustee

Attested:

Judy A. Lewis

Judy A. Lewis, Fiscal Officer
Passed: June 23, 2009
GAH:sld

RESOLUTION #110-2009

A RESOLUTION APPROVING A PROBATIONARY RELEASE FOR A POLICE DEPARTMENT EMPLOYEE

- Whereas,** Officer Christopher W. Hatley was hired on January 20, 2009 as a probationary police officer and assigned to a three month Field Training Officer Program; and
- Whereas,** Officer Christopher W. Hatley failed to successfully complete the three month Field Training Officer Program; and
- Whereas,** The Chief of Police met with Officer Hatley and discussed problem areas and expectations for improvement; and
- Whereas,** Officer Hatley's Field Training Officer Program was extended for thirty days to see if clearly defined goals for improvement could be accomplished; and
- Whereas,** Officer Hatley continues to show no signs of improvement in a critical area of performance related to officer safety; and
- Whereas,** the Chief of Police has recommended to the Board of Trustees that Officer Christopher W. Hatley be given a probationary release effective immediately; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees approves the recommendation from the Chief of Police for the probationary release of Officer Christopher W. Hatley effective June 23, 2009.

RESOLUTION #111-2009

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

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

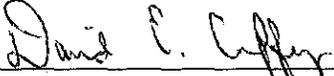
Whereas, Matthew Queen, Interim Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Michael Watts Grade S-1 \$11.96 / per hour

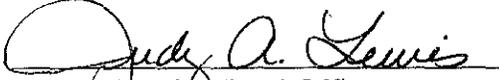
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective July 14, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #112-2009

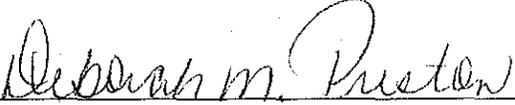
**RESOLUTION AUTHORIZING THE HIRING
OF PART-TIME PERSONNEL**

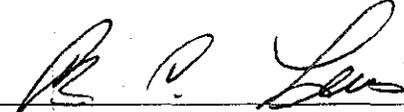
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

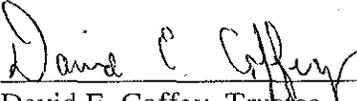
Whereas, Matthew Queen, Interim Fire Chief, is making his recommendation to hire the following individual as a part-time employee:

Michael Pickering Grade S-1 \$11.96 / per hour

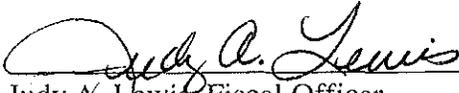
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective July 14, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #113-2009

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

Whereas, Max Bryant has been an part-time FF/EMT since March 31, 2009; and

Whereas, Max Bryant has decided to resign his part-time position; and

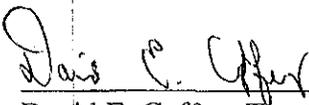
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Max Bryant, and termination of his employment is effective July 14, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #114-2009

**RESOLUTION TO ADOPT THE REVISED
EMPLOYEE POLICY MANUAL**

Whereas, Miami Township incorporates an employee policy manual into its culture to assist in the general expectations and behaviors of employees; and

Whereas, a collective effort involving the elected officials, administrative staff, department heads, and legal counsel have revised and crafted an updated employee policy manual that better meets Miami Township's needs; and

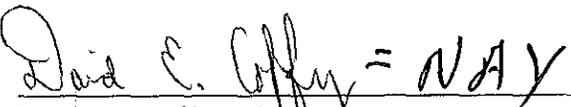
Therefore Be It Resolved, the Miami Township Board of Trustees adopts the Employee Policy Manual, replacing the manual passed via Resolution 277-2003, and the revised Employee Policy Manual will become effective August 1, 2009.



Deborah M. Preston, Trustee President

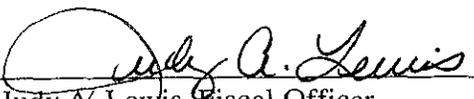


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:

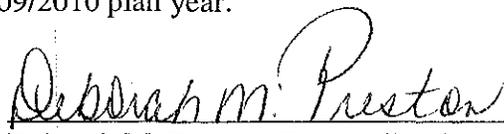


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #115-2009

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

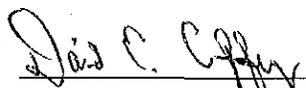
- Whereas,** the Board of Trustees has approved a high deductible health plan (HDHP) for the 2009/2010 plan year via Resolution 88-2009; and
- Whereas,** the Board of Trustees, for the 2009/2010 plan year, has agreed to contribute employer funded Health Savings Account (HSA) funds to non-union employees 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; and
- Whereas,** the respective Fraternal Order of Police (FOP) and International Association of Fire Fighters (IAFF) union representatives have signed and agreed to respective Memorandums of Understanding; 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 to earn and/or receive employer funded HSA funds for the 2009/2010 plan year.



Deborah M. Preston, Trustee President

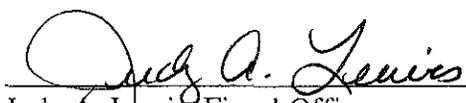


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #116-2009

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 9596 Arboridge Ln., 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 14, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 14, 2009, 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:

9596 Arboridge Lane

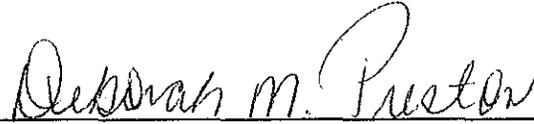
Parcel ID #K45-283-8-47
Mark W. Adams
9596 Arboridge Lane
Miamisburg, OH 45342

Mark W. Adams
118 W. Bryant Ave.
Franklin, OH 45005

Mortgage Company

US Bank, National Association as
Trustee, successor-in-interest to
Wachovia Bank, N.A. Pooling and
Servicing Agreement dated as of
November 1, 2004. Asset-Backed
Pass-Through Certificates Series
2004-WWF1
c/o Wells Fargo Bank, N.A.
3476 Stateview Boulevard
Fort Mill, SC 29715 Mac# 7801-013

SIGNATURE PAGE FOR RESOLUTION #116-2009 ONLY



Deborah M. Preston, Trustee President

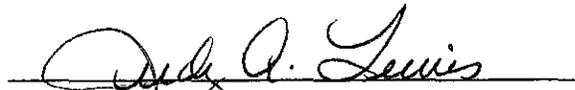


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 14, 2009

GAH:sid

RESOLUTION #117-2009

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 5981 Munger Rd., 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 July 14, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 14, 2009, 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:

5981 Munger Road

Parcel ID #K47-232-13-4
Rodrigo G. Duarte
5981 Munger Road
Dayton, OH 45459

Mortgage Company

US Bank National Association, as
Trustee for the BNC Mortgage Loan
Trust 2006-2
c/o Wells Fargo Bank, N.A.
3476 Stateview Boulevard
Fort Mill, SC 29715 Mac #7801-013

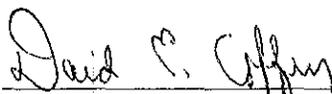
SIGNATURE PAGE FOR RESOLUTION #117-2009 ONLY



Deborah M. Preston, Trustee President

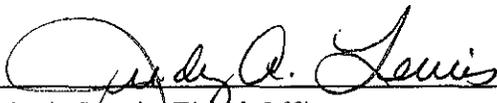


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 14, 2009

GAH:sld

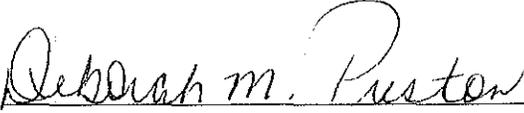
RESOLUTION #118-2009

**RESOLUTION TO APPROVE A PAY INCREASE
FOR A PART-TIME FIREFIGHTER**

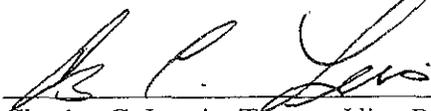
Whereas, Firefighter/EMT John Burkhart has successfully completed additional training for the Miami Township Division of Fire & EMS; and

Whereas, the Fire Chief is recommending an increase in pay to Step 4, Pay Grade PT10 A; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for John Burkhart to Step 4, Pay Grade PT10 A, at a rate of \$16.37 per hour, effective July 14, 2009.



Deborah M. Preston, Trustee President

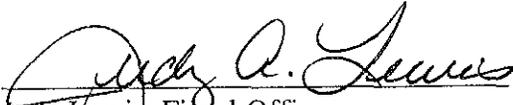


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

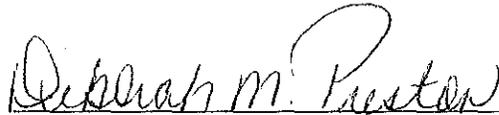
RESOLUTION #119-2009

**RESOLUTION TO APPROVE A PAY INCREASE
FOR A PART-TIME FIREFIGHTER**

Whereas, Firefighter/Paramedic Daniel B. Smith has successfully completed additional training for the Miami Township Division of Fire & EMS; and

Whereas, the Fire Chief is recommending an increase in pay to Step 4, Pay Grade PT 10 A; and

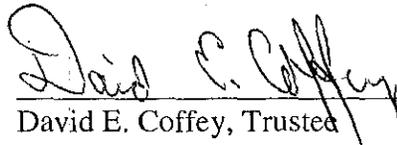
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Daniel B. Smith to Step 4, Pay Grade PT 10 A, at a rate of \$16.37 per hour, effective July 14, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed July 14, 2009

GAH:std

RESOLUTION #120-2009

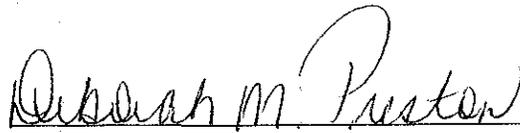
**RESOLUTION TO AUTHORIZE THE TRANSFER
OF AN EMPLOYEE'S TOWNSHIP SERVICE TIME, FOR
THE PURPOSE OF CALCULATING VACATION LEAVE FOR
A FIRE DEPARTMENT EMPLOYEE**

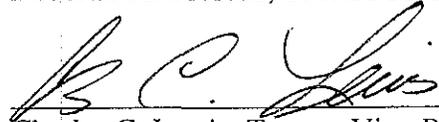
Whereas, the Ohio Revised Code permits the transfer of prior township service time for the purpose of calculating vacation time; and

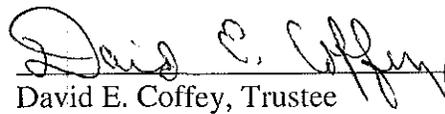
Whereas, the Fire Chief has made a request consistent with Board policy recognition of prior, part time service time for the purpose of calculating vacation time; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the transfer of prior service time for the purpose of calculating vacation time.

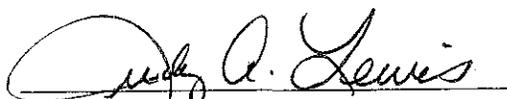
<u>Name</u>	<u>Added Service Time</u>
Jeremy Smith	3 years, 10 months, 16 days


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #121-2009

**RESOLUTION TO ERECT "NO PARKING" SIGNS
ON A TOWNSHIP STREET**

Whereas, a request has been made to erect "No Parking" signs along the access driveways on the west and east sides of Byers Road, south of Benner Road; and

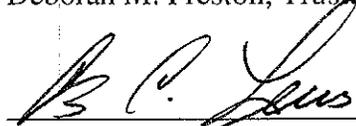
Whereas, the Montgomery County Engineer's office has received the request and agreed to the benefits of installing the signage; and

Whereas, the Public Works Director is recommending to erect the "No Parking" signs at these locations; and

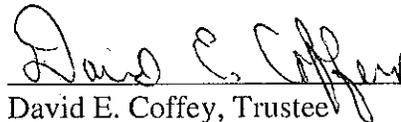
Therefore Be It Resolved, the Miami Township Board of Trustees directs the Street Supervisor to erect "No Parking" signs along the access driveways on Byers Road, south of Benner Road.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy Lewis, Fiscal Officer

Passed: July 14, 2009

GAH:sld

RESOLUTION # 122-2009

**RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION FOR
PROVIDING FOR THE COLLECTION AND DISPOSAL OF
GARBAGE OR REFUSE, INCLUDING YARD WASTE**

Whereas, the amount of taxes which may be raised within the ten 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 mill limitation for the benefit of the unincorporated area of Miami Township for the purpose of paragraph (I) Section 5705.19 ORC "providing for the collection and disposal of garbage or refuse, including yard waste," at a rate not exceeding 1.2 mills for each one dollar of valuation, which amounts to \$0.12 for each one hundred dollars of valuation for five years, and which is a replacement for an existing levy of 1.2 mills commencing collection year 2010; and

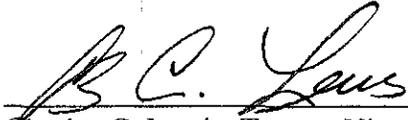
Therefore Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2010, if a majority of the electors voting thereon vote in favor thereof; and

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.

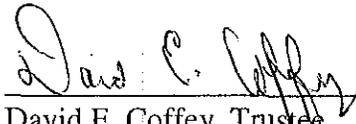
SIGNATURE PAGE FOR RESOLUTION 122-2009 ONLY



Deborah M. Preston, Trustee President

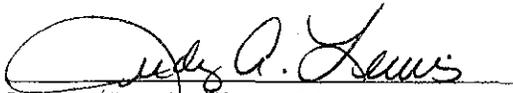


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 14, 2009

GAH:sld

RESOLUTION #123-2009

**RESOLUTION TO AUTHORIZE A DONATION TO THE
WEST CARROLLTON SCHOOLS IN SUPPORT OF THE
2009 YOUTH CONFERENCE**

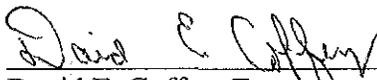
Whereas, the Miami Township Trustees recognize that the West Carrollton Schools Youth Conference serves a community purpose; and

Whereas, the West Carrollton Schools are exempt from federal taxation; and

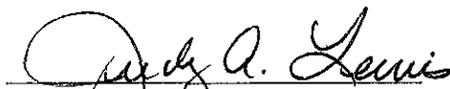
Now, Therefore Be It Resolved, the Miami Township Board of Trustees hereby donates \$1,500 to the West Carrollton Schools for purposes of supporting the 2009 Youth Conference.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

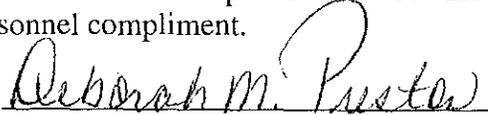
Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

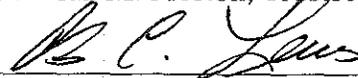
RESOLUTION #124-2009

RESOLUTION TO CREATE THE POSITION OF PLANNING & ZONING DEPARTMENT INTERN

- Whereas,** the Board of Trustees is the authority for creating authorized positions within Miami Township compliment of personnel; and
- Whereas,** the Planning & Zoning Department has occasion to employ an Intern to assist with Planning & Zoning duties and activities; and
- Whereas,** the Planning & Zoning Intern position could be either paid or unpaid (voluntary); and
- Whereas,** a Planning & Zoning Intern position would comply with Employee Policy Manual policies, including but not limited to a paid Intern position being pre-approved by the Board of Trustees via the previous year's budgetary process; and
- Whereas,** it will be the responsibility of the Planning & Zoning Director to ensure that the Intern position remains within all budgetary constraints at all times; and
- Whereas,** the Human Resources Director, in conjunction with the Planning & Zoning Director and Assistant Director have reviewed this issue and are recommending to the Board of Trustees the creation of one (1) Planning & Zoning Intern position; and
- Therefore Be It Resolved,** Miami Township Board of Trustees authorizes the creation of one (1) Planning and Zoning Intern position; and
- Further Be It Resolved,** the Miami Township Board of Trustees, as with all position, requires it be kept informed of the filling of any authorized position; and
- Lastly Be It Resolved,** the Board of Trustees directs the Human Resources Director to take the necessary actions to incorporate the authorized position into Miami Township's procedures, protocols and personnel compliment.



Deborah M. Preston, Trustee President

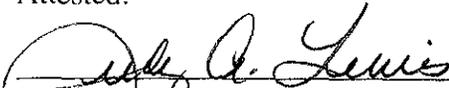


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 14, 2009

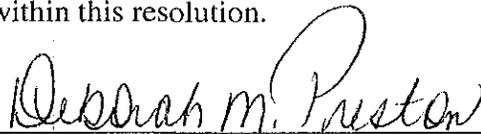
GAH:sld

RESOLUTION #125-2009

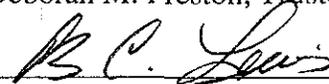
**RESOLUTION TO HIRE A
PLANNING & ZONING DEPARTMENT INTERN**

- Whereas,** the Planning & Zoning Department has a need for an intern; and
- Whereas,** the Planning & Zoning and Human Resources Department has conducted a recruitment and selection process for a volunteer (unpaid) intern; and
- Whereas,** the intern candidate, Lindsay Mitchell, has successfully passed the selection process for the position of volunteer (unpaid) intern; and
- Whereas,** a start date of July 15, 2009 through the summer months, not to exceed 120 days from date of hire, is being recommended for the intern; and
- Whereas,** the Director and Assistant Director of Planning & Zoning and the Human Resources Director are making a recommendation to the Board of Trustees to hire Lindsay Mitchell as a volunteer intern at a wage rate of \$0.00 per hour and beginning no sooner than July 15, 2009 and said volunteer status will run no longer than 120 days from date of beginning; and

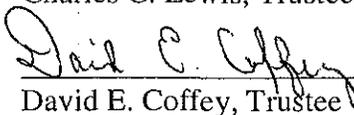
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Lindsay Mitchell as outlined within this resolution.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: July 14, 2009

GAH:sld

RESOLUTION #126-2009

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL FUNDING AGREEMENT IN CONNECTION WITH THE DEVELOPMENT AND FINANCING OF TRANSPORTATION PROJECTS WITHIN THE TOWNSHIP AND THE COUNTY

- Whereas,** pursuant to a Cooperative Agreement by and among the Township, the Montgomery County Transportation Improvement District (the "District"), the City of Miamisburg, the City of Springboro, and the Miamisburg City School District dated as of December 15, 2005, as amended by a First Amendment to Cooperative Agreement dated as of July 8, 2008, and supplemented by a Supplement to Cooperative Agreement dated as of January 8, 2009 (the "Cooperative Agreement"), the Township has heretofore adopted legislation exempting certain property identified in the Cooperative Agreement from real property taxes and requiring the owners thereof, to make payments in lieu of taxes; and
- Whereas,** pursuant to the Cooperative Agreement, the Township has agreed to pay certain obligations, including debt service related to the payment of costs of public infrastructure identified therein, comprising the Austin Road Interchange and related improvements, and certain other amounts identified therein; and
- Whereas,** the Township desires to provide incentives for RG Properties, Inc., to develop its property in the northeast quadrant of the Austin Road Interchange (the "Northeast Quadrant"), and to do so has determined that it will be necessary and it is in the best interest of the Township to fund up to \$6 million of certain public infrastructure improvements ("Township Improvements") in the Northeast Quadrant; and
- Whereas,** the Township, the Board of County Commissioners (the "Board"), and the District are desirous of mutually cooperating in the funding of the Northeast Quadrant Infrastructure Project (the "Project"); and
- Whereas,** the Township desires to have the District assist in the development and financing of the Project as the District was created for undertaking surface transportation projects pursuant to Section 555.10 of the Ohio Revised Code (ORC); and
- Whereas,** the Township desires to enter into an Intergovernmental Funding Agreement (exhibit "A" attached) (the "Agreement") with the Board and the District for the purpose of funding and implementing (the Township Improvements) pursuant to the terms of the Agreement; and

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

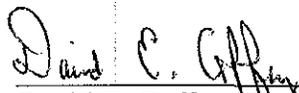
- Section 1. the execution of and delivery of the Agreement on behalf of the Township by any one or more members of this Board or the Township Administrator, with any changes therein as are permitted by applicable law and not adverse to the Township, and the fact that any such changes are permitted by applicable law and not adverse to the Township shall be conclusively evidenced by execution of the Agreement by those officers or that officer. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the financial records of the Township a fully executed counterpart of the Agreement.
- Section 2. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.
- Section 3. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all such deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 4. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.
- Section 5. This Resolution shall take effect from and after its adoption, as provided by law.



Deborah M. Preston, Trustee President

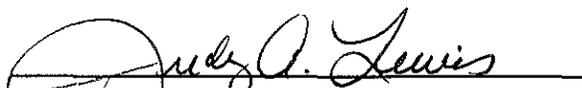


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



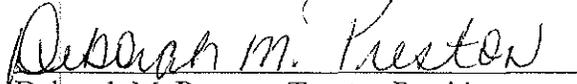
Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

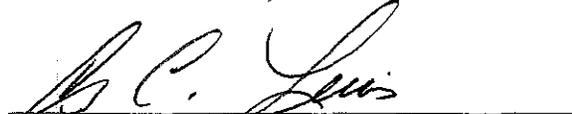
RESOLUTION #127-2009

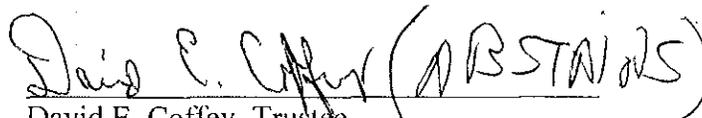
**RESOLUTION TO CONTRACT FOR INTERIM FIRE COMMISSION
(IFC) CONSULTING SERVICES**

- Whereas,** Miami Township and the City of Miamisburg are pursuing the creation of a joint Fire District through the efforts of an Interim Joint Fire Commission (IFC); and
- Whereas,** the IFC is working in an interim capacity in order to assure a seamless transition when the District is officially formed, and begins providing Fire and EMS services jointly to both the City and the Township; and
- Whereas,** the IFC has identified the need to have someone work exclusively coordinating the formation of a joint Fire District including but not limited to operations and administration, as part of a timely and seamless transition, and desire to engage an individual to do so through a consulting agreement; and
- Whereas,** the IFC as an interim body does not have the authority to enter into an agreement for consulting services, and is requesting that the Miami Township Board of Trustees hire the consultant, and authorize the Township Administrator to execute an agreement for consulting services once the IFC has selected the consultant;
- Whereas,** said agreement shall be in full force for a period of three (3) months from the date of the agreement, with up to three months of additional of contract extensions permitted;
- Whereas,** the costs of the consulting services shall be shared equally by the City of Miamisburg and Miami Township;

Now, Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Gregory A. Hanahan to execute the necessary documents to enter into a consulting agreement for the purpose of coordinating the formation of a joint Fire District once the IFC has selected a consultant.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 14, 2009
GAH:sld

RESOLUTION #128-2009

RESOLUTION TO DECLARE THE OLD UNCLE MIKE'S LEATHER GEAR AS SURPLUS PROPERTY AND ALLOW FOR DONATION TO THE GREAT OAKS POLICE ACADEMY IN HAMILTON COUNTY

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

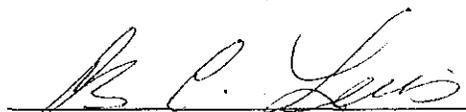
Whereas, regulations are being followed in accordance with the Ohio Revised Code; and

Whereas, Miami Township Police Department has purchased new leather gear for all sworn personnel and has no need for the old Uncle Mike's leather gear; and

Whereas, the Great Oaks Police Academy has a need for our old Uncle Mike's leather gear and has made a request for donation of the old Uncle Mike's leather gear for their use; and

Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10 that the Miami Township Board of Trustees declares the old leather gear surplus property and approves the donation of the old Uncle Mike's leather gear to the Great Oaks Police Academy and orders it removed from the inventory of the Miami Township Police Department.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 28, 2009
GSR:sld

RESOLUTION #129-2009

**RESOLUTION TO ACCEPT THE RESIGNATION OF A
PARK BOARD MEMBER**

Whereas, Amber Fulmer has been serving as president on the Miami Township Park Board since April 7, 2004; and

Whereas, Amber Fulmer has served Miami Township in good stead with all appointments; and

Whereas, Amber Fulmer has given official notice that she will resign her position effective July 21, 2009; and

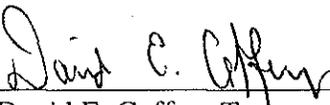
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Amber Fulmer and the termination of her appointment is effective immediately.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 28, 2009
GSR:sld

RESOLUTION # 130-2009

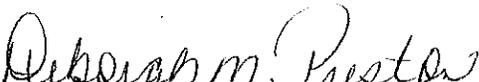
**RESOLUTION TO EXTEND A FINAL DEVELOPMENT PLAN
APPROVAL FOR ZONING CASE #370-05**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, July 28, 2009; and

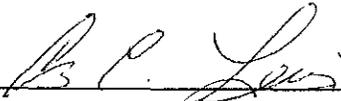
Whereas, the Final Development Plan for Zoning Case #370-05, originally filed by the J.C. Hart Company, Inc., EHR Ltd., and Raymond D. Williams, expired on July 25, 2009; and

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

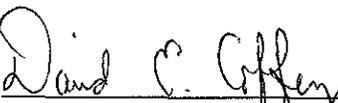
Therefore Be It Resolved, the Miami Township Board of Trustees Approves the extension of the Final Development Plan for Zoning Case #370-05 for a period of one (1) year, effective July 25, 2009.



Deborah M. Preston, Trustee President

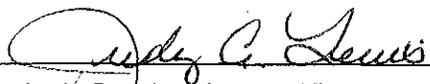


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: July 28, 2009
GSR: sld

RESOLUTION #131-2009

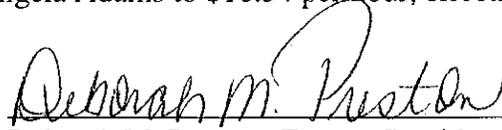
**A RESOLUTION AUTHORIZING A PAY INCREASE FOR A
POLICE RECORDS CLERK I**

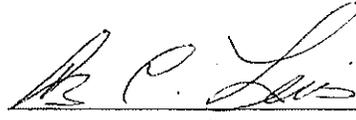
Whereas, Angela Adams will complete five years of service as a Police Records Clerk I on August 19, 2009; and

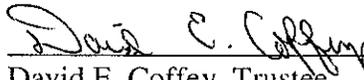
Whereas, a performance evaluation has been completed and Angela Adams has exceeded all performance expectations for her five years on the job; and

Whereas, the Police Chief has made a recommendation for a pay increase for Angela Adams; and

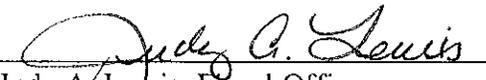
Therefore Be It Resolved, the Miami Township Board of Trustees authorize a pay increase for Police Records Clerk I, Angela Adams to \$16.54 per hour, effective August 19, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed July 28, 2009
GSR:sld

RESOLUTION #132-2009

RESOLUTION TO CLOSE A TOWNSHIP ROAD

Whereas, there is a need perform a water main relocation across Arboridge Lane in Miami Township for the OPWC Spring Valley Pike Phase V Improvements construction project; and

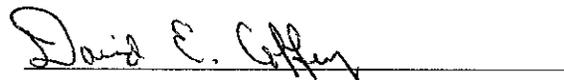
Whereas, the road work will require the roadway to be closed for approximately one week; and

Whereas, the Ohio Revised Code requires the jurisdiction that maintains the roadway to authorize the closing of the roadway; and

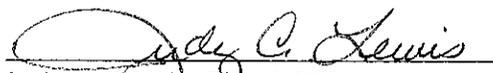
Therefore Be It Resolved, the Miami Township Board of Trustees orders Arboridge Lane, between Spring Valley Pike and Cross Village Drive, closed for approximately one (1) week to begin as soon as the construction schedule allows.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 28, 2009
GSR:sld

RESOLUTION #133-2009

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT WITH CLIVUS DEVELOPMENT, LLC.

- 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;
- Whereas,** Clivus Development, LLC (the Company") has proposed to the Township that it be permitted to undertake the development of a cancer treatment facility (the "Facility") to be operated by a entity to be exempt from taxation under 501(c)(3) of the Internal Revenue Code of 1986, together with ancillary development in support of such facility (collectively, the "Project"), within the Township upon property now owned or to be owned by the Township, including the property identified on Exhibits A, B and C attached hereto (the "Property");
- Whereas,** the Property is within the territory of joint economic development districts ("JEDDs") established by the Township and one or more subdivisions and use of the Property for the purposes of the Project is consistent with the purposes of facilitating jobs and employment opportunities within the State and within the area of the Township and other contracting parties to the respective agreements establishing the JEDDs, all as authorized under the agreements establishing the JEDDs and applicable law
- Whereas,** the Project will benefit the Township by providing additional tax revenues through employment at and around the Project and by an increase in tourism, sales and other economic activity associated with the Project;
- Whereas,** the Township desires to determine the feasibility of the Project and to take such actions that, if feasible, will result in the location of the Project within the Township and in order to do so desires to enter into an agreement (the "Development Agreement") with the Company to determine the feasibility of the Project, to evidence the grant of certain options to the Company with respect to the Property in order to induce its development of the Project;

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

- Section 1. Determinations of the Board. The Board of Trustees of the Township hereby determines that (i) based on its understanding of the Project, the use of the Property for the purposes of the Project is consistent with the purposes of

facilitating jobs and employment opportunities within the area of the Township, and will promote tourism within the Township, (ii) the Property is not needed for any Township use or will not be needed for any Township use at the time of its transfer; and (iii) having reviewed the Development Agreement now on file with the Fiscal Officer, it is a proper public purpose and in the best interests of the Township to enter into the Development Agreement and to provide for the grant of the interests in the Property to the Company on the terms described therein.

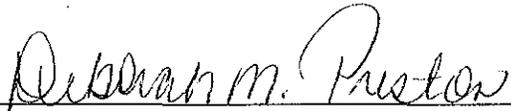
Section 2. Authorization for Execution and Delivery of the Development Agreement. The Board of Trustees of the Township hereby authorizes and directs the President of this Board, or any one of the other Trustees or the Township Administrator, acting alone or together, to execute and deliver for and on behalf of the Township the Development Agreement substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official executing the Development Agreement, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Agreement. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Development Agreement. For the payment of amounts due and owing under the Development Agreement with respect to the feasibility and other studies contemplated by the Agreement, together with any other costs incurred by the Township in connection with the Project, this Board hereby authorizes the payment of a sum that in the aggregate shall not exceed the amount of \$400,000 to reimburse the Company for costs incurred by or on behalf of the Company in connection with such studies. The amount necessary to make those payments is hereby appropriated from the "Austin Centre" Fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as statements are submitted by the Company.

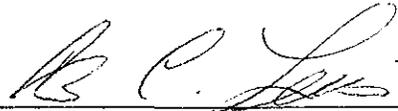
Section 3. Further Actions. The Township Administrator, the Fiscal Officer, any member of this Board of Trustees, and any other Township employee or officer is hereby authorized and directed to take such actions as may be necessary or appropriate to effect the transactions contemplated in this Resolution or the Development Agreement, including but not limited to the signing of any option agreement or deed with respect to the Property, all as provided in the Development Agreement. Each such individual shall be authorized to take such actions on behalf of this Board without further action by this Board.

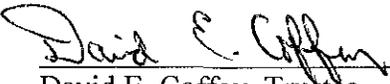
Section 4. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its

committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

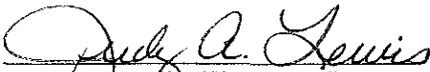
Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: July 28, 2009
GSR:sld

RESOLUTION #134-2009

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

Whereas, Andrea Bailey has been an Administrative Assistant since October 17, 2006; and

Whereas, Andrea Bailey has decided to resign her position as a result of other employment opportunities; and

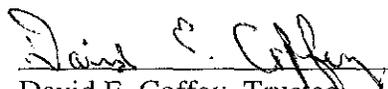
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Andrea Bailey, and termination of her employment is effective August 18, 2009.



Deborah M. Preston, Trustee President

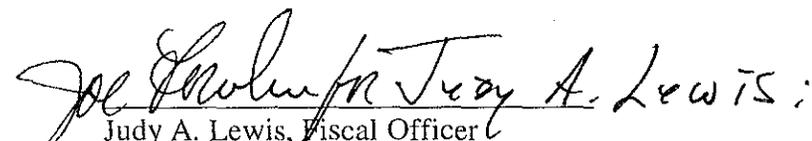


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

GAH:sld

RESOLUTION #135-2009

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

Whereas, Shaman Sharma has been a part-time FF/EMT since May 4, 2009; and

Whereas, Shaman Sharma has decided to resign his part-time position as a result for educational purposes; and

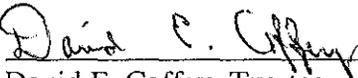
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Shaman Sharma, and termination of his employment is effective August 12, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

GAH:sld

RESOLUTION #136-2009

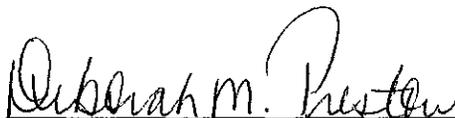
**RESOLUTION TO EXTEND A FINAL DEVELOPMENT PLAN
APPROVAL FOR ZONING CASE #393-07**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 11, 2009; and

Whereas, the Final Development Plan for Section 1 of the Rivendell Plat under Zoning Case #393-07, originally filed by Zengel Construction Company, expired on July 22, 2009; 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 1 under Zoning Case #393-07 for a period of one (1) year, effective July 22, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: August 11, 2009

GAH:sld

RESOLUTION #137-2009

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 August 11, 2009; and

Whereas the Miami Township Board of Trustees conducted said public hearing on August 11, 2009, 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:

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

SIGNATURE PAGE FOR RESOLUTION #137-2009 ONLY



Deborah M. Preston, Trustee President

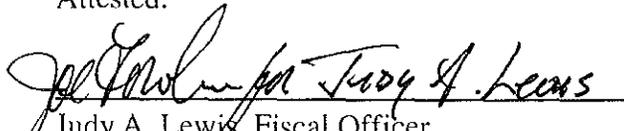


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

Passed: August 11, 2009

GAH:sld

RESOLUTION #138-2009

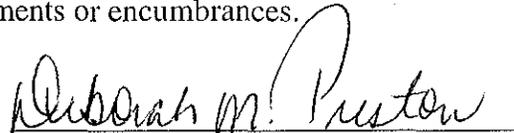
**RESOLUTION TO APPROVE A "THEN AND NOW"
PURCHASE ORDER FOR REPAIRS MADE TO A
FIRE DEPARTMENT APPARATUS**

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

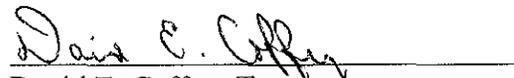
Whereas, O.R.C. 5705.41 also allows for a "Then and Now" purchase order to be issued when time or circumstances do not allow for the timely process of a normal purchase order; and

Whereas, the Miami Township Board of Trustees have incurred an expenditure for repairs to a Fire Department apparatus; and

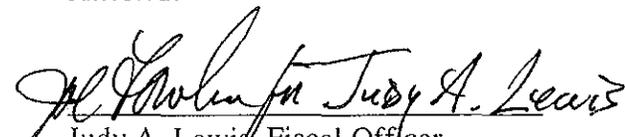
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and at the date of the execution of the order, the amount of \$700.50 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Fire Fund free of any commitments or encumbrances.


Deborah M. Preston, Trustee President

ABSENT
Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

GAH:sld

RESOLUTION #139-2009

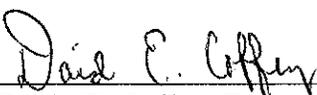
**TO PARTICIPATE THE OHIO PUBLIC WORKS COMMISSION
STATE CAPITAL IMPROVEMENT, AND/OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO
AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE
CONTRACTS, AS REQUIRED**

- 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, and the City of Miamisburg are planning to make capital improvements to Byers Road; and
- Whereas,** the above infrastructure improvements are considered to be priority needs for the community and are qualified projects under the OPWC program; and
- Whereas,** an award of \$910,000 has been made by the Ohio Public Works Commission to be used as part of capital improvement funding for the Byers Road Improvements; and
- Whereas,** any additional commitment of funding by Miami Township related to this project shall be paid using Tax Increment Financing (TIF) revenues as outlined in the TIF Financing Cooperative Agreement for the Austin Road Interchange; and

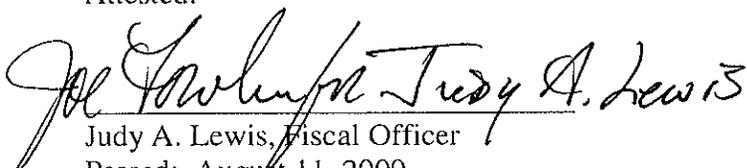
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:

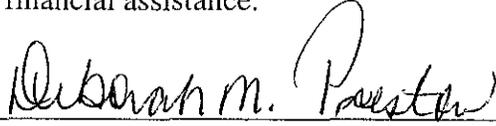

Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

RESOLUTION #140-2009

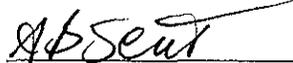
**TO PARTICIPATE THE OHIO PUBLIC WORKS COMMISSION
STATE CAPITAL IMPROVEMENT, AND/OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO
AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE
CONTRACTS, AS REQUIRED**

- 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, and the Montgomery County Engineer are planning to make capital improvements to Austin Road; and
- Whereas,** the above infrastructure improvements are considered to be priority needs for the community and are qualified projects under the OPWC program; and
- Whereas,** an award of \$1.5 million has been made by the Ohio Public Works Commission to be used as part of capital improvement funding for the Austin Road Improvements; and
- Whereas,** any additional commitment of funding by Miami Township related to this project shall be paid using Tax Increment Financing (TIF) revenues as outlined in the TIF Financing Cooperative Agreement for the Austin Road Interchange; and

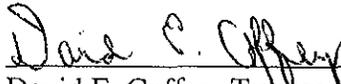
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into any agreements, as may be necessary and appropriate, for obtaining this financial assistance.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

RESOLUTION #141-2009

RESOLUTION TO AUTHORIZE AND APPROVE THE EXECUTION AND DELIVERY OF A RENEWABLE LEASE-PURCHASE AGREEMENT FOR THE FINANCING OF THE PROJECT FACILITIES/EQUIPMENT, OR A PORTION THEREOF, AND TO AUTHORIZE AND APPROVE THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE

Whereas, a board of township trustees, a joint township police district board and a board of fire district trustees of a fire district created under Section 505.371 of the Ohio Revised Code (each, a "Governing Body") are authorized under various provisions of Chapter 505 of the Ohio Revised Code, including, but not limited to. Sections 505.262 and 505.267 thereof, and other Chapters of the Ohio Revised Code, to acquire, purchase, construct, rent, lease, enlarge, improve, equip, maintain, operate, rebuild, repair or furnish sites, buildings, equipment or other personal property for an authorized public purpose; and

Whereas, the Governing Body of Miami Township, Ohio (the "Political Subdivision") now desires pursuant to Sections 505.267 and 505.37 of the Ohio Revised Code to provide for 2009 Ford 553-3 Super Duty Ambulance (the "Project Facilities/Equipment"), and in order to acquire the Project Facilities/Equipment, to enter into 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 Governing Body of the Political Subdivision will lease from OTA Leasing and OTA Leasing will lease to the Governing Body of the Political Subdivision the Project Facilities/Equipment with an option to purchase the Project Facilities/Equipment at the end of the final term of the Lease; and

Whereas, OTA Leasing will absolutely assign all of its rights, title and interests under the Lease to a financial institution agreed to by the Governing Body (such agreement being evidenced by the Governing Body's execution and delivery of the Lease), as assignee, (the "Assignee"), in consideration of the Assignee's making available to or on the order of the Governing Body sufficient moneys to pay in full the purchase price of the Project Facilities/Equipment upon delivery and acceptance of such Project Facilities/Equipment by the Governing Body; and

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

Section 1. Findings and Determinations of Governing Body of the Political Subdivision. This Governing Body of the Political Subdivision hereby finds and determines that (i) the Project Facilities/Equipment will be public property to be used for public purposes, (ii) the Project Facilities/Equipment is essential to the proper, efficient and economic operation of the Political Subdivision and (iii) in order to implement the financing of the Project Facilities/Equipment, it is necessary and desirable and in the best interests of the Political Subdivision to enter into the Lease and other related documents and certificates for the purposes set forth in the Lease.

Section 2. Authorization to Execute and Approval of Documents. The Fiscal Officer of the Political Subdivision (the "Fiscal Officer") is hereby authorized and directed to make a written contract or contracts for the Project Facilities/Equipment in accordance with the laws of the State and, if required by the laws of the State, to take bids for the Project Facilities/Equipment in such manner as to permit an award to be made by separate contract for each item or for any combination of said items as the Fiscal Officer shall determine.

The Lease in substantially the forms on file in the office of the Fiscal Officer is hereby approved and the Governing Body of the Political Subdivision hereby authorizes the execution and delivery of the Lease by the Governing Body with any changes therein as are not adverse to the Political Subdivision; and the fact that any such changes are not adverse to the Political Subdivision shall be evidenced by execution of the Lease by the Governing Body of the Political Subdivision. The Lease shall be executed in the same manner as is provided in Section 133.27 of the Ohio Revised Code for the execution of Chapter 133 Securities (as defined for such Section) on behalf of a township.

Subject to and in consideration of the execution and delivery of the Lease by the Political Subdivision and the assignment thereof by OTA Leasing to the Assignee, the purchase price of the Project and any other costs related to the Project, including, but not limited to, the reimbursement of moneys advanced by the Township for the acquisition of the Project in accordance with and pursuant to Section 133.15 of the Ohio Revised Code, and its financing by the Assignee pursuant to the Lease shall be paid by the Assignee.

Section 3. Terms of the 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 aggregate shall not exceed \$185,000 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. Such Base Rentals, and the principal and interest components thereof, shall be set forth in an exhibit to the Lease.

Section 4. *Additional Authorizations.* The Fiscal Officer and this Governing Body of the Political Subdivision 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 be required by the Assignee or as may in their judgment be necessary, desirable, advisable or appropriate in connection with the execution and delivery of the Lease in order to give effect to the transactions contemplated to be performed on the part of the Political Subdivision under the Lease.

Section 5. *Authorizations Relating to Compliance with Federal Tax Laws.* The Governing Body of the Political Subdivision, alone or in conjunction with any other officer or employee of the Political Subdivision, is authorized and directed (a) to cooperate with OTA Leasing and the Assignee by making, on behalf of the Political Subdivision, such covenants and representations in the Lease as are appropriate and necessary with respect to causing the interest component of the Base Rentals to be and remain excluded from gross income of the Assignee for federal income tax purposes and (b) to give an appropriate certificate of the Political Subdivision setting forth the reasonable expectations of the Political Subdivision regarding the amount and use of all the proceeds of the Lease, 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 6. *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 Fire Levy Fund of the Political Subdivision 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.

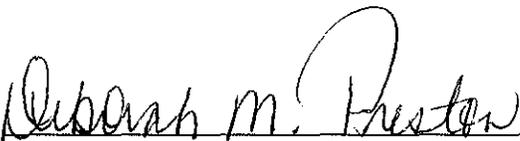
Section 7. *Severability.* If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. *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

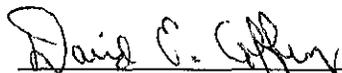
Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 9. 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.

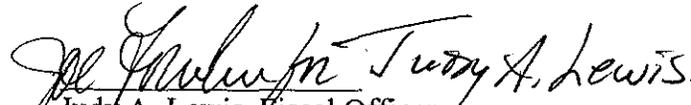
Section 10. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attest:


Judy A. Lewis, Fiscal Officer
Passed: August 11, 2009

GAH:sld

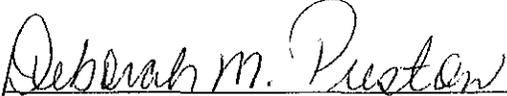
RESOLUTION #142-2009

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

Whereas, Rebekah Biggs has been an Administrative Assistant since August 27, 2007; and

Whereas, Rebekah Biggs has decided to resign her position as a result of personal reasons; and

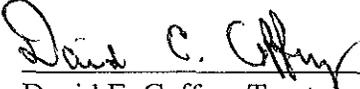
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Rebekah Biggs, and termination of her employment is effective August 22, 2009.



Deborah M. Preston, Trustee President

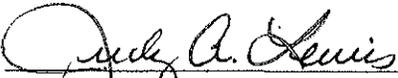


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

RESOLUTION #143-2009

RESOLUTION TO APPOINT A POLICE OFFICER

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

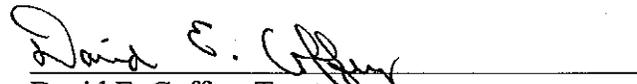
Whereas, the approved recruitment and selection process was followed; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Wiley L. B. Jones to the position of Police Officer, at a starting rate of \$22.28 per hour, effective August 24, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice -President


David E. Coffey, Trustee

Attested:

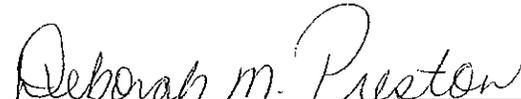

Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

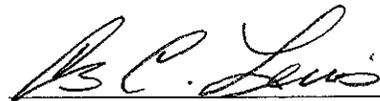
RESOLUTION #144-2009

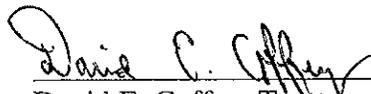
**RESOLUTION TO REAPPOINT A MIAMI TOWNSHIP - DAYTON
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD), with Resolution #135-2005, on June 28, 2005; and
- Whereas,** under the approved contract, the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Joint Economic Development District; and
- Whereas,** Gregory Rogers was appointed, with Resolution #136-2005, on July 12, 2005, to represent the workers of the District on the JEDD Board for a four (4)-year term, which expires on September 9, 2009; and

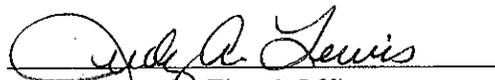
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Gregory Rogers, to represent the workers of the District on the Miami Township-Dayton JEDD Board, for a four-year term, which expires September 9, 2013, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

RESOLUTION #145-2009

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 6078 First 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 25, 2009; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 25, 2009, 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:

6078 First Avenue

Parcel ID #K50-184-21-86

John C. Winkler

6078 First Avenue

Miamisburg, OH 45342

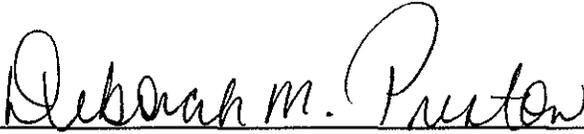
Mortgage Company

National City Bank

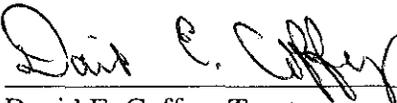
3232 Newmark Drive

Miamisburg, OH 45342

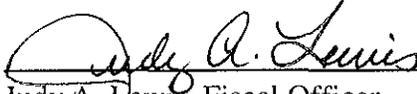
SIGNATURE PAGE FOR RESOLUTION #145-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

RESOLUTION #146-2009

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 6034 Second Ave, Miamisburg, Ohio 45342, in Miami Township 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 25, 2009; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 25, 2009, 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:

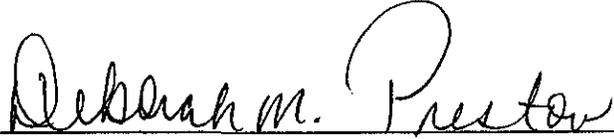
6034 Second Ave.

Parcel ID #K50-184-21-13
Marie N Holt
c/o Julie Barrett
Executrix of the Estate of
Marie N. Holt
161 Dalton Avenue
Carlisle, OH 45005

Mortgage Company

American Tax Funding Servicing, LLC
630 US Highway 1, Suite 300
North Palm Beach, Florida 33408

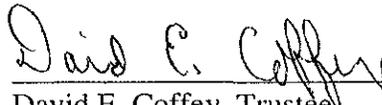
SIGNATURE PAGE FOR RESOLUTION #146-2009 ONLY



Deborah M. Preston, Trustee President

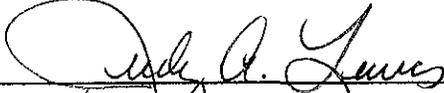


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 25, 2009

GSR:sld

RESOLUTION #147-2009

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 25, 2009; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on August 25, 2009, 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:

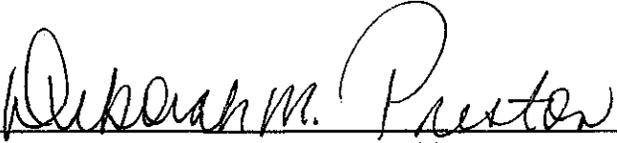
6047 Second Ave. (Vacant Lot)

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

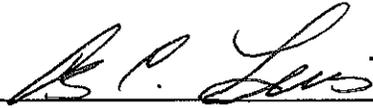
Mortgage Company

None Known

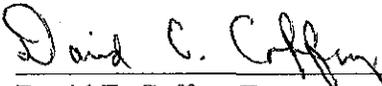
SIGNATURE PAGE FOR RESOLUTION #147-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

RESOLUTION #148-2009

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH AT&T FOR ANALOG PHONE SERVICE

- Whereas,** on April 4, 2009 an eighty-four month agreement with AT&T for analog phone service expired; and
- Whereas,** Miami Township is desirous of entering into a thirty-six month agreement for analog service for the Township Administration building, the Fire Department building, and the Police Department building; and
- Whereas,** the Chief of Police has met with representatives from AT&T has recommended to the Board of Trustees that a thirty-six month agreement for a minimum of seven (7) analog phone lines would be in the best interest of Miami Township; and
- Whereas,** the Chief of Police has determined that we have twenty analog phone lines installed in the three buildings at this time and that immediately upon activation of the agreement with AT&T a minimum of six analog phone lines be disconnected resulting in a reduction of the monthly cost and that when the dispatchers move out of the police department to the Regional Dispatch Center additional analog phone lines will be disconnected resulting in a reduction in the monthly cost; and
- Whereas,** the Miami Township Board of Trustees has considered the recommendation from the Chief of Police and found that the recommendation will provide a significant cost savings over the life of the thirty-six month agreement; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees approves the recommendation from the Chief of Police to allow the Township Administrator to immediately enter into a thirty-six month agreement with AT&T for a minimum of seven (7) analog phone lines at a cost not to exceed \$503.19 per month and with an understanding that the monthly cost will be reduced each time an analog phone line is disconnected during the agreement period.

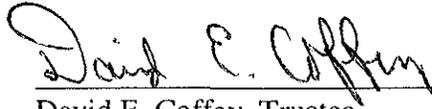
SIGNATURE PAGE FOR RESOLUTION #148-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed August 25, 2009

GSR:sld

RESOLUTION #149-2009

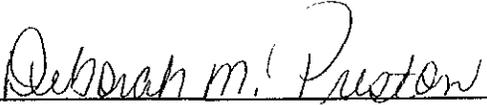
**RESOLUTION TO HIRE CESO FOR
PROFESSIONAL ENGINEERING SERVICES**

Whereas, Miami Township has a need for professional engineering services relating to the development of Township controlled Property including review and inspection services for a regional storm water detention basin and storm water utility program; and

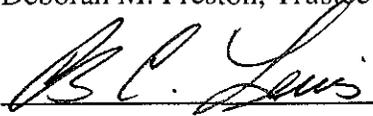
Whereas, CESO has previously provided civil engineering services and is both experienced and qualified to provide engineering services related to development of township controlled property including the review of projects such as a regional storm water detention as well as other development related projects;

Whereas, CESO has submitted a proposal to assist Miami Township by providing refined cost estimates and technical feedback necessary for the successful execution of projects within Miami Township; and

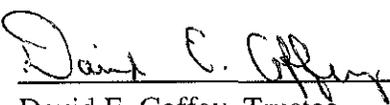
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Gregory A. Hanahan, Township Administrator, to enter into a contract with CESO for professional engineering services for development of Township controlled property including regional storm water detention and utility with the cost to be determined by the time and material billing rates attached to this resolution, effective immediately.



Deborah M. Preston, Trustee President

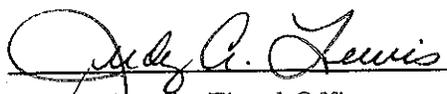


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



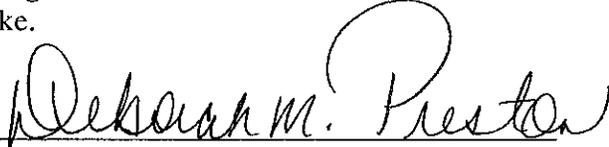
Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

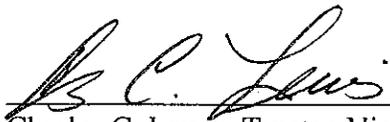
RESOLUTION #150-2009

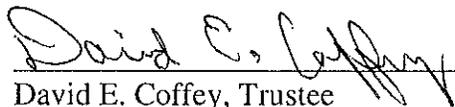
**RESOLUTION TO GRANT A TEMPORARY EASEMENT FOR
PROPERTY LOCATED ON WOOD ROAD**

- Whereas,** there is a need to create a regional storm water management facility on property located on Miamisburg-Springboro Pike (K45 02605 0015); and
- Whereas,** the contractor, Kelchner Excavating, Inc., located at 50 Advanced Drive, Springboro, OH 45066, has requested a temporary access easement on property owned by Miami Township, at Parcel ID #K45-02605-0053; and
- Whereas,** the requested easement will allow the contractor to complete the project in a more timely manner and with less impact on the general public; and
- Whereas,** the contractor has agreed to compensate for crop damage in an amount equal to the fair market value of the crop damaged due to the temporary access; and
- Whereas,** a temporary easement agreement outlining the terms has been drafted by legal counsel, and any temporary access shall be subject to all terms of the agreement; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to grant a temporary easement to Kelchner Excavating, Inc. at Parcel ID #K45-02605-0053 located on Miamisburg-Springboro Pike.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: August 25, 2009
GSR:sld

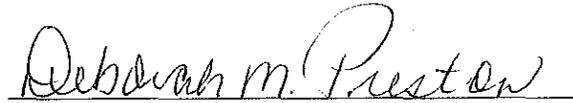
RESOLUTION #151-2009

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

Whereas, John Rausch has been a part-time firefighter/EMT since May 25, 2009; and

Whereas, John Rausch has decided to resign his position as a result of personal reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of John Rausch, and termination of his employment is effective September 8, 2009.



Deborah M. Preston, Trustee President

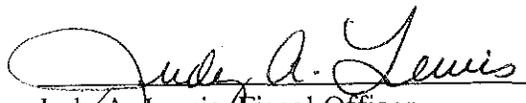


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: September 8, 2009
GSR:sld

RESOLUTION #152-2009

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

Whereas, Chris Warrick has been a part-time firefighter/EMT since May 25, 2009; and

Whereas, Chris Warrick has accepted a full-time position with the Huber Heights Fire Department and has decided to resign his position as a result; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Chris Warrick, and termination of his employment is effective September 16, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 8, 2009
GSR:sld

RESOLUTION #153-2009

**RESOLUTION TO TERMINATE EMPLOYMENT OF A
PLANNING & ZONING EMPLOYEE**

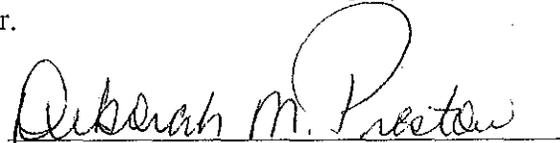
Whereas, Emma "Orena" Shelton has been a GIS Coordinator/Data Research Tech to the Planning & Zoning Department since January 26, 1998; and

Whereas, Emma "Orena" Shelton, during her tenure, has served Miami Township responsibly and professionally; and

Whereas, Emma "Orena" Shelton, after eleven (11) years of dedicated service to Miami Township, has submitted a letter of intent to leave Miami Township's employment; and

Whereas, Emma "Orena" Shelton's last day worked will be at the end of the work day on Friday, November 6, 2009; and

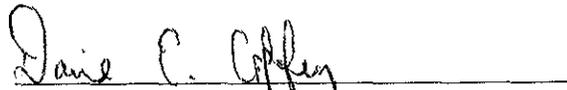
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Gregory A. Hanahan, Township Administrator, to take the necessary actions to ensure that all activities, financial and otherwise, associated with Emma "Orena" Shelton's termination of employment, are carried out in a timely manner.



Deborah M. Preston, Trustee President

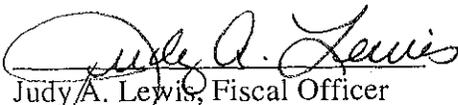


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 8, 2009

GSR:sld

RESOLUTION #154-2009

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 7627 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 September 8, 2009; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on September 8, 2009, 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:

7627 Katy Drive

Parcel ID #K45-187-9-13
Mark E. & Joy Phelps
140 Mason Avenue
Monroe, OH 45050

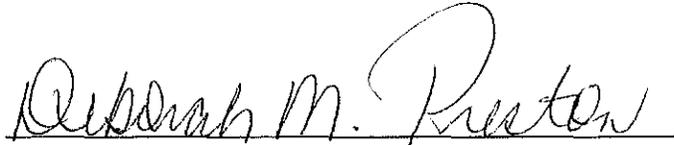
Mark E. Phelps
7627 Katy Drive
Dayton, OH 45459

Joy Phelps
7627 Katy Drive
Dayton, OH 45459

Mortgage Company

HSBC Bank USA, N.A. as Trustee
for the Holders of Deutsche Bank
Alt-A Securities Mortgage Loan
Trust, Series 2007-AR3 Mortgage
Pass-Through Certificates
c/o Countrywide Home Loans (TX)
7105 Corporate Drive
Mail Stop PTX-C-35
Plano, TX 75024

SIGNATURE PAGE FOR RESOLUTION #154-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: September 8, 2009
GSR:sld

RESOLUTION #155-2009

**RESOLUTION OF CONCURRENCE WITH THE MIAMISBURG CITY
COUNCIL APPOINTMENT TO THE MIAMI TOWNSHIP –DAYTON
MALL JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD)**

Whereas, the City of Miamisburg and the Township of Miami, entered into a Joint Economic Development District (JEDD) contract on June 11, 2009; and

Whereas, the Joint Economic Development District Board is made up of five members; and

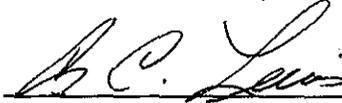
Whereas, Miami Township is required, by contract, to concur with the appointee by the Miamisburg City Council; and

Whereas, the Miamisburg City Council appointed George Perrine to the Miami Township-Dayton Mall Joint Economic Development District to represent the persons working within the territory of the District; and

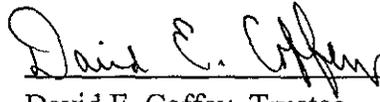
Therefore Be It Resolved, the Miami Township Board of Trustees concurs with the Miamisburg City Council appointment to the Miami Township-Dayton Mall Joint Economic Development District.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 22, 2009

GSR:sld

RESOLUTION #156-2009

RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A LEASE AND MAINTENANCE AGREEMENT
WITH PROSOURCE FOR THE LEASE AND MAINTENANCE
OF A COPIER

Whereas, the Miami Township Administration desires to enter into a lease and maintenance agreement with ProSource for the lease and maintenance of a copier; and

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

Whereas, The Finance Director is recommending a thirty-nine (39) month lease and maintenance agreement at a monthly lease rate of \$439.26 plus a per copy rate of .0095 for black and white copies and a per copy rate of .0650 for color copies with ProSource for a new C451 BizHub; and

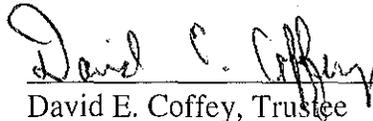
Therefore **Be It Resolved**, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a thirty-nine (39) month lease and maintenance agreement with ProSource.



Deborah M. Preston, Trustee President

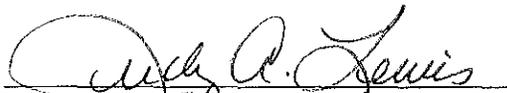


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 8, 2009

GSR:std

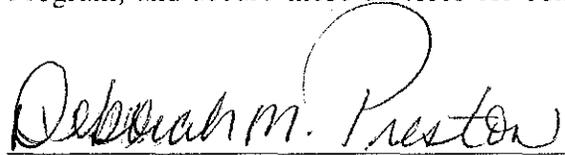
RESOLUTION #157-2009

**RESOLUTION TO AWARD A BUREAU OF WORKERS'
COMPENSATION GROUP RATING PROGRAM CONTRACT
TO AVIZENT FOR 2009/2010**

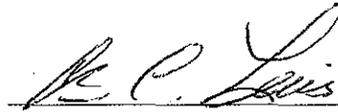
Whereas, the Miami Township Board of Trustees desires to contract for Bureau of Workers' Compensation Group Rating Program, through AVIZENT, formerly Frank Gates; and

Whereas, AVIZENT was the plan administrator for the BWC rating years of 2007/2008, and has performed satisfactorily; 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 \$28,348 for Bureau of Workers' Compensation Group Rating Program, and secure these services for contract year 2009/2010.



Deborah M. Preston, Trustee President

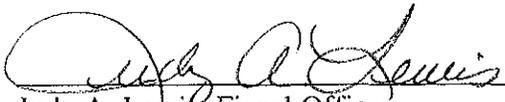


Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 8, 2009

GSR:std

RESOLUTION #158-2009

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 2121 Blanton 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 September 22, 2009; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on September 22, 2009, 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:

2121 Blanton Drive
Parcel ID #K45-188-24-25
Teresa L. Collins
2121 Blanton Drive

Mortgage Company
Irwin Mortgage Corporation
10500 Kincaid Drive
Fishers, IN 46038

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

RESOLUTION #159-2009

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 9326 Heritage Glen 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 September 22, 2009; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on September 22, 2009, 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:

9326 Heritage Glen Dr.
Parcel ID #K45-256-23-16
Edward G. Hayslip
9326 Heritage Glen Dr.
Miamisburg, OH 45342

Peggy J. Hayslip
9326 Heritage Glen Dr.
Miamisburg, OH 45342

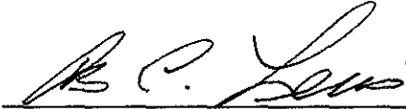
Mortgage Company
Liberty Savings Bank, FSB
2251 Rombach Avenue
Wilmington, OH 45177

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

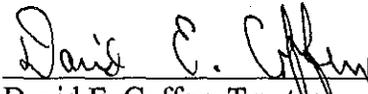
SIGNATURE PAGE FOR RESOLUTION #159-2009 ONLY



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed September 22, 2009

GSR:sld

RESOLUTION #160-2009

**RESOLUTION TO SUPPORT THE WRIGHT FLYER
MONUMENT**

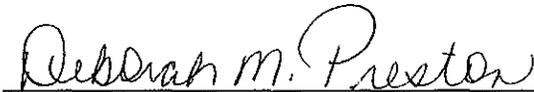
Whereas, many cities around the country have an immediate identifiable symbol that represents their city; and

Whereas, our community is in need of such a symbol to identify the heritage of Wilbur and Orville Wright; and

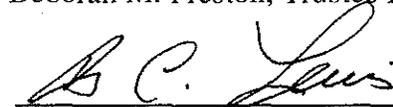
Whereas, the Miami Township Board of Trustees recognizes the recommendations to construct a Wright Flyer monument around the I-75 & I-70 corridor; and

Whereas, the Wright Flyer monument will proudly identify the community as the home of the Wright Brothers; and

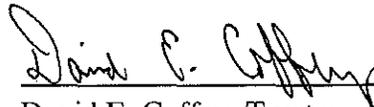
Therefore Be It Resolved, the Miami Township Board of Trustees formally supports the construction of a Wright Flyer monument.



Deborah M. Preston, Trustee President

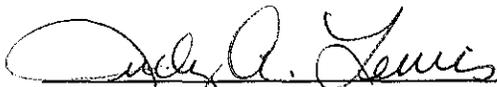


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: September 22, 2009

GSR:sld

RESOLUTION #162-2009

**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 three (3)-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

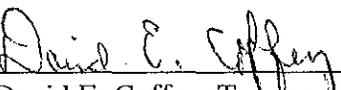
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a salary increase for Dan Mayberry, to an annual rate of pay of \$76,364.79, effective October 1, 2009.



Deborah M. Preston, Trustee President

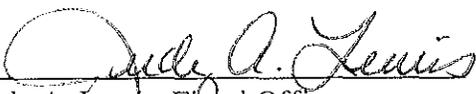


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

RESOLUTION #163-2009

**RESOLUTION TO AUTHORIZE THE TRANSFER OF AN
EMPLOYEE'S TOWNSHIP SERVICE TIME FOR THE PURPOSE
OF CALCULATING VACATION LEAVE FOR A POLICE
DEPARTMENT EMPLOYEE**

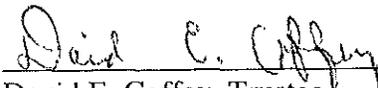
Whereas, the Ohio Revised Code permits the transfer of prior paid township service time for the purpose of calculating an employee's vacation accrual rate; and

Whereas, the Police Chief has made a recommendation consistent with Miami Township policy that paid prior township service time with another township or Miami Township be counted for the purpose of calculating the employee's vacation accrual rate; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the transfer of prior paid service time, in the amount of two (2) years, four (4) months, fifteen (15) days from Perry Township, for the purposes of calculating the vacation accrual rate for Officer Douglas Hesler.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

RESOLUTION #164-2009

**RESOLUTION TO SUPPORT THE DAYTON/MONTGOMERY
COUNTY PUBLIC LIBRARY 1.25 MIL REPLACEMENT TAX LEVY
AND 0.5 MIL ADDITIONAL TAX LEVY**

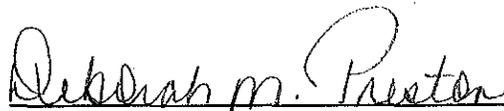
Whereas, revenues have been significantly reduced for the Dayton/Montgomery County Public Library; and

Whereas, the Dayton/Montgomery County Public Library has placed Issue 40 on the November 3rd ballot seeking a 1.25 mil replacement and a 0.5 mil additional mils for a total of 1.75 mils; and

Whereas, residents of Miami Township need and enjoy the services provided by the Dayton/Montgomery County Public Library; and

Whereas, the passage of Issue 40 will provide continued, educational benefits to all residents of the Miami Township community; and

Therefore Be It Resolved, the Miami Township Board of Trustees will consider Issue 40 in support of the Dayton/Montgomery County Public Library, and encourages all township residents to support their library on November 3, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 13, 2009

GSR:sld

RESOLUTION #165-2009

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

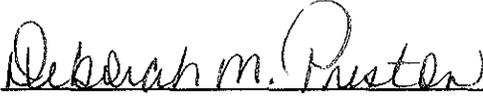
Whereas, the Board of Trustees of Miami Township, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2010; and

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


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

*original to County Auditor
10-22-09*

2010

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(Board of Township Trustees)

Revised Code, Secs, 5705.34 - 5705.35

The Board of Trustees of Miami Township, Montgomery County, Ohio met in Regular session on the 13th day of October 2009, at the office of Board of Trustees with the following members present:

Deborah M. Preston
Charles Lewis
David Coffey

Ms Preston moved the adoption of the following Resolution:

WHEREAS, This Board of Trustees of Miami Township accordance with the provisions of law, has previously adopted Tax Rates 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 this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Board of Trustees of Miami Township, Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate Of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
MIAMI TOWNSHIP 2010	Column I	Column II	III	IV
General Fund K45	193,136		0.18	
Road and Bridge K45	1,458,636		2.32	
Road and Bridge K45-3	1,255		1.65	
Road and Bridge K50-1	15		1.16	
Police Fund K45		4,235,786		7.15
Police Fund K45-3		5,215		7.15
Police Fund K50-1		43		7.15
Fire & EMS Fund K45		4,357,484		7.15
Fire & EMS K45-3		5,440		7.15
Fire & EMS K50-1		95		7.15
Garbage Fund K45		547,632		1.20
Garbage Fund K45-3		685		1.20
Garbage Fund K50-1		12		1.20
TOTAL	1,653,043	9,152,391		

SCHEDULE B

**LEVIES OUTSIDE 10 MILL LIMITATION
EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
GENERAL FUND:			
SPECIAL LEVIES:			
K45			
Police levy authorized by voters 11/08/05 not to exceed FIVE years.	3.50	2,014,835	EXPIRES 12/31/2010
Police levy authorized by voters 11/06/07 not to exceed FIVE years	3.65	2,220,951	
Fire & EMS levy authorized by voters 11/07/06 not to exceed FIVE years	3.65	2,220,951	
Fire & EMS levy authorized by voters 11/04/08 not to exceed FIVE years	3.50	2,136,532	
Garbage levy authorized by voters 11/06/07 not to exceed FIVE years	0.90	547,632	
Garbage levy authorized by voters 11/02/04 not to exceed FIVE years	1.20	0	EXPIRES ON 12/31/09
K45-3			
Police levy authorized by voters 11/08/05 not to exceed FIVE years.	3.50	2,439	EXPIRES 12/31/2010
Police levy authorized by voters 11/06/07 not to exceed FIVE years	3.65	2,777	
Fire & EMS levy authorized by voters 11/07/06 not to exceed FIVE years	3.65	2,777	
Fire & EMS levy authorized by voters 11/04/08 not to exceed FIVE years	3.50	2,663	
Garbage levy authorized by voters 11/06/07 not to exceed FIVE years	0.90	685	
Garbage levy authorized by voters 11/02/04 not to exceed FIVE years	1.20	0	EXPIRES ON 12/31/2009
K50-1			
Police levy authorized by voters 11/08/05 not to exceed FIVE years.	3.50	43	EXPIRES 12/31/2010
Police levy authorized by voters 11/06/07 not to exceed FIVE years	3.65	49	
Fire & EMS levy authorized by voters 11/07/06 not to exceed FIVE years	3.65	49	
Fire & EMS levy authorized by voters 11/04/08 not to exceed FIVE years	3.50	47	
Garbage levy authorized by voters 11/06/07 not to exceed FIVE years	0.90	12	
Garbage levy authorized by voters 11/02/04 not to exceed FIVE years	1.20	0	EXPIRES ON 12/31/09

and be it further

RESOLVED, That the Clerk this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Jeffrey Lewis seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

<u>Deborah Preston</u>	,	<u>yes</u>
<u>Charles Lewis</u>	,	<u>yes</u>
<u>David Coffey</u>	,	<u>yes</u>
_____	,	
_____	,	
_____	,	

Adopted the 3rd day of October, 2009.

Jeffrey A. Lewis
 Clerk of the Board of Township Trustees
Miami Township
 Montgomery County, Ohio

2010

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County, ss.

I, Judy Lewis, Clerk of the Board of the Township Trustees of
Miami Township, in said County, and in whose custody the
Files and Records of said Board required by the laws of the State of Ohio to be kept, do
hereby certify that the foregoing is taken and copied from the original minutes

of October 3, 2009 now on file with said Board Trustees, that the foregoing has
been compared by me with said original document, and that the same is a true and
correct copy thereof.

WITNESS my signature, this 13th day of October, 2009.

Judy A. Lewis
Clerk of the board of Township Trustees
Miami TOWNSHIP
Montgomery County, Ohio

2010

No:

BOARD OF TOWNSHIP TRUSTEES

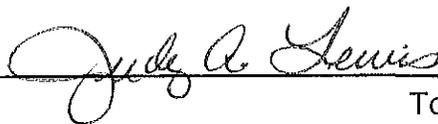
MONTGOMERY COUNTY, OHIO

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(Board of Township Trustees)

Adopted _____, 2009



Township Clerk

Filed _____, 2009

County Auditor

By _____
Deputy

RESOLUTION #166-2009

RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF AN INTRUSION ALARM SYSTEM AND A FIRE DIALER SYSTEM FOR THE POLICE DEPARTMENT AND THE MONTHLY MONITORING SERVICE FOR A PERIOD OF SIXTY MONTHS

Whereas, the Miami Township Police Department is desirous of entering into an agreement with Guardian Protection Services for the purchase of an intrusion alarm system and a fire alarm dialer system and the monitoring of both systems for a period of sixty months; and

Whereas, Miami Township is authorized by the Ohio Revised Code to secure an agreement for the purchase of an intrusion alarm system and a fire alarm dialer system and monitoring services if the amount is under the statutory bidding requirement; and

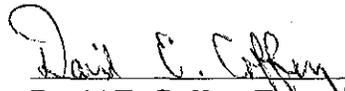
Whereas, the Chief of Police is satisfied that the intrusion alarm system and fire alarm dialer system and monitoring services will meet the needs of the police department and that Guardian Protection Services will be able to provide any needed parts and repair in a timely manner for both systems and effectively monitor both systems; and

Therefore Be It Resolved, that the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure the purchase of an intrusion alarm system and a fire alarm dialer system and sixty months of monitoring services from Guardian Protection Services. The purchase of the equipment, installation and testing will not exceed \$879.00 and the monthly monitoring fee for both systems will not exceed \$61.95 per month for the sixty month period.

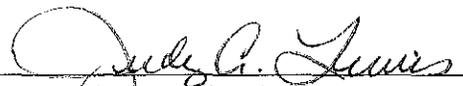
SIGNATURE PAGE FOR RESOLUTION #166-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:

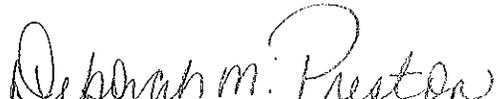

Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

RESOLUTION #167-2009

RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR PAYMENT OF LEGAL BOOK UPDATES

- 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 a subscription service provided by Thompson West for updates to legal books received in August, 2009; and

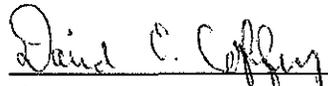
Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time the legal book updates were received and on the date the invoice was received, the amount of \$638.00 to pay for the legal book updates, was appropriated for paying for the legal book updates, and is in the 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



David E. Coffey, Trustee

Attested:



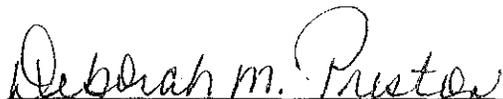
Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

RESOLUTION #168-2009

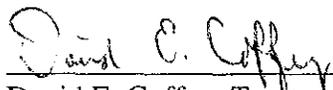
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE
ORDER FOR PAYMENT OF REPAIR SERVICES TO P & R
COMMUNICATIONS**

- 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 repair services provided by P & R Communications during the month of May 2009; and

Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time repair services were provided and on the date the invoice was Received, the amount of \$1,692.04 to pay for the repair services, was appropriated for paying for the repair services, 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


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:slid

RESOLUTION #169-2009

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$11,500,000, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, OHIO DEPARTMENT OF TRANSPORTATION, 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.

- Whereas,** this Board has determined to work cooperatively with the Montgomery County Transportation Improvement District (Ohio) (the "*District*"), the City Springboro, Ohio ("Springboro"), the City of Miamisburg, Ohio ("Miamisburg"), and the Ohio Department of Transportation ("ODOT") in 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 interests in real property, together with all necessary and related appurtenances thereto (collectively, the "*Project*") by issuing general obligation bond anticipation notes of the Township, in anticipation of the issuance of bonds to be issued for such purpose, 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 by a First Amendment to Cooperative Agreement dated July 8, 2008 (collectively, 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, pursuant to Resolution No. 171-2008 adopted by this Board on December 23, 2008 (the "Prior Resolution"), notes in anticipation of bonds in the aggregate amount of \$14,250,000, dated January 22, 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 November 4, 2009; and

Whereas, this Board hereby determines that the Township should retire the Outstanding Notes with the proceeds of Notes described in Section 3 below (the "Series 2009-1 Notes"); 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 (20) 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 bond anticipation notes for the purpose of paying the costs of the Project and retiring the Outstanding Notes; and

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"*Act*" means Chapter 133 of the Ohio Revised Code and Section 555.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended by Sub S.B. 36 of the 127th General Assembly.

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

"*Authorized Denominations*" means the denomination of \$100,000 or any integral multiple of \$1,000 in excess thereof.

"*Bonds*" means the bonds of the Township authorized by Section 2 of this Resolution and in anticipation of which the Series 2009-1 Notes are issued.

"*Book entry form*" or "*book entry system*" means a form or system under which (a) the ownership of book entry interests in notes and the principal of and interest on the Series 2009-1 Notes may be transferred only through a book entry, and (b) physical note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Series 2009-1 Notes

“immobilized” in the custody of the Depository or its designated agent. The book entry maintained by others than the Township is the record that identifies the owners of book entry interests in those Series 2009-1 Notes and that principal and interest.

“*Certificate of Award*” means the certificate authorized by Section 7, to be executed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Series 2009-1 Notes 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 Series 2009-1 Notes.

“*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.

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in the Series 2009-1 Notes or the principal of and interest on the Series 2009-1 Notes, and to effect transfers of the Series 2009-1 Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

“*District Note Resolution*” means the resolution adopted by the District authorizing the issuance of the District Notes.

“*District Notes*” means the bond anticipation notes authorized and issued by the District for the purpose of paying the costs of the Project and acquiring the Series 2009-1 Notes.

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

“*Maturity Date*” means the date which is nine (9) months following the Closing Date, provided that the Fiscal Officer may, if it is determined to be necessary or advisable to the sale of the Series 2009-1 Notes, establish a Maturity Date that is prior to or after nine (9) months following the Closing Date by setting forth that Maturity Date in the Certificate of Award, provided that the Maturity Date shall not exceed twelve (12) months following the Closing Date.

“*Miamisburg*” means the City of Miamisburg, Ohio.

“*Note Proceedings*” means, collectively, this Resolution, the Certificate of Award, the Note Purchase Agreement, the Continuing Disclosure Certificate and such other proceedings of the Township, including the Series 2009-1 Notes, that provide collectively for, among other things, the rights of holders and the beneficial owners of the Series 2009-1 Notes.

“*Note Purchase Agreement*” means the Note Purchase Agreement among the District, the Township and the original purchaser of the District Notes, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 7 of this Resolution.

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of Notes as provided in Section 6.

“*Note Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award pursuant to Section 5 as the initial authenticating agent, note registrar, transfer agent and paying agent for the Series 2009-1 Notes under the Note Registrar Agreement and until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, “*Note Registrar*” shall mean the successor Note Registrar.

“*Note Registrar Agreement*” means the Note Registrar Agreement among the District, the Township and the Note 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 5.

“*ODOT*” means the Ohio Department of Transportation.

“*Original Purchaser*” means the District.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

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

“*Series 2009-1 Notes*” means the Series 2009-1 Notes authorized by this Resolution and designated as such in the Certificate of Award.

“*Springboro*” means the City of Springboro, Ohio.

Capitalized terms not otherwise defined in this Resolution have the meanings assigned to them in the Act. The captions and headings in this Resolution are solely

for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorization of Bonds. It is necessary and in the best interest of the Township to issue bonds of this Township in the maximum principal amount of \$11,500,000 (the "*Bonds*") for the purpose of paying the costs, in cooperation with the District, ODOT, 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, landscaping, 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 shall be dated approximately March 1, 2010, shall bear interest at the now estimated rate of 8.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in twenty (20) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2011.

Section 3. Authorization of Series 2009-1 Notes; Principal Amount and Purpose; Application of Proceeds. It is necessary to issue and this Board determines that Series 2009-1 Notes in the maximum principal amount of \$11,500,000 shall be issued in anticipation of the issuance of the Bonds to retire the Outstanding Notes and to pay any financing costs. The principal amount of Series 2009-1 Notes to be issued (not to exceed the stated maximum amount) shall be determined by the Fiscal Officer in the Certificate of Award as the amount which, along with other available funds of the Township, is necessary to redeem the Outstanding Notes and to pay any financing costs. The Series 2009-1 Notes shall be issued pursuant to the Act, this Resolution and the Certificate of Award.

The proceeds from the sale of the Series 2009-1 Notes received or deemed constructively received, as described in the Cooperative Agreement, by the Township, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Series 2009-1 Notes are being issued. The Certificate of Award (in accordance with this Resolution) may authorize the Original Purchaser to withhold certain proceeds from the sale of the Series 2009-1 Notes to provide for the payment of certain financing costs on behalf of the Township. Any portion of the proceeds received by the Township (after payment of those financing costs) representing premium or accrued interest shall be paid into the Bond Retirement Fund and are hereby appropriated to pay principal of and interest and any premium on the Series 2009-1 Notes as those charges become due. The remaining proceeds from the sale

of the Series 2009-1 Notes received or deemed constructively received, as described in the Cooperative Agreement, by the Township are hereby appropriated and shall (in accordance with the Cooperative Agreement) be used (i) to pay certain costs of the Project and (ii) to redeem the Outstanding Notes.

Section 4.

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

The Series 2009-1 Notes shall be issued in one lot and only as fully registered notes, in the Authorized Denominations. The Series 2009-1 Notes 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.

(a) Interest Rates and Payment Dates. The Series 2009-1 Notes 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; *provided, however*, the Series 2009-1 Notes shall bear the same rates of interest as the District Notes. Interest on the Series 2009-1 Notes shall be payable at such rate or rates at maturity and until the principal amount has been paid or provided for. The Series 2009-1 Notes 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. The Series 2009-1 Notes shall mature, and the principal thereon shall be payable, on the Maturity Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The net interest rate per year for the Series 2009-1 Notes determined by taking into account the principal amount of the Series 2009-1 Notes and terms to maturity shall not exceed 10.00% per year.

(d) Payment of Debt Service Charges. The debt service charges on the Series 2009-1 Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and any premium on the Series 2009-1 Notes shall be payable when due upon presentation and surrender of the Series 2009-1 Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Series 2009-1 Notes are issued in a book entry system, principal of and interest on the Series 2009-1 Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(e) Redemption Provisions. The Series 2009-1 Notes shall be subject to optional redemption prior to maturity on or after the 90th day following their issuance on the terms and at the prices determined by the Fiscal Officer in the Certificate of Award.

Any notice of the call for redemption of Series 2009-1 Notes shall identify (i) by designation, letters, numbers or other distinguishing marks, the Series 2009-1 Notes

or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Series 2009-1 Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register maintained by the Note Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Series 2009-1 Note, however, shall not affect the validity of the proceedings for the redemption of any Note.

In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Series 2009-1 Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Series 2009-1 Notes and portions thereof called for redemption shall become due and payable on the redemption date, and upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Series 2009-1 Notes and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Note Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Series 2009-1 Notes 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 Series 2009-1 Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Note Registrar for the redemption of particular Series 2009-1 Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Series 2009-1 Notes, provided that any interest earned on the moneys so held by the Note Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Series 2009-1 Notes called for redemption.

(f) Note Provisions to be Consistent with District Notes. The provisions of the Series 2009-1 Notes, including, but not limited to, the aggregate principal amount, the interest rate, the dates of delivery and maturity, and the related redemption provisions, shall be the same as the District Notes; *provided, however*, the Series 2009-1 Notes shall be general obligations of the Township and the District Notes shall be special obligations of the District.

Section 5.

Execution and Authentication of Series 2009-1 Notes; Appointment of Note Registrar. The Series 2009-1 Notes 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 Series 2009-1 Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the initial Note Registrar. The Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement among the District, Miamisburg, Springboro, the Township and the Note Registrar, in substantially the form as is now on file with the Fiscal Officer. The Note 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 Note 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 Note Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the District Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Series 2009-1 Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Note Proceedings unless and until the certificate of authentication printed on the Series 2009-1 Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Series 2009-1 Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Series 2009-1 Notes.

Section 6.

Registration; Transfer and Exchange.

(a) Note Register. So long as any of the Series 2009-1 Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep the Note Register at its designated corporate trust office. Subject to the provisions of Section 4(d) and subsection (c) of this Section 6, the person in whose name a Series 2009-1 Note is registered on the Note Register shall be regarded as the absolute owner of that Series 2009-1 Note for all purposes of the Note Proceedings. Payment of or on account of the debt service charges on any Series 2009-1 Note shall be

made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Series 2009-1 Note, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Series 2009-1 Note may be exchanged for Series 2009-1 Notes of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Series 2009-1 Note may be transferred only on the Note Register upon presentation and surrender of the Series 2009-1 Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Series 2009-1 Note or Series 2009-1 Notes of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Series 2009-1 Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Series 2009-1 Notes only after the new Series 2009-1 Notes are signed by the authorized officers of the Township. In all cases of Series 2009-1 Notes exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver Series 2009-1 Notes in accordance with the provisions of the Note Proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Series 2009-1 Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note Proceedings as the Series 2009-1 Notes surrendered upon that exchange or transfer. Neither the Township nor the Note Registrar shall be required to make any exchange or transfer of (i) Series 2009-1 Notes then subject to call for redemption between the 15th day preceding the mailing of notice of Series 2009-1 Notes to be redeemed and the date of that mailing, or (ii) any Note selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the Township, the Series 2009-1 Notes may be issued in book entry form in accordance with the following provisions of this Section.

The Series 2009-1 Notes may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Series 2009-1 Notes may be issued in the form of a single, fully registered Series 2009-1 Note and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Note Registrar; (ii) the book entry interest owners of Series 2009-1 Notes in book entry form shall not have any right to receive Series 2009-1 Notes in the form of physical securities or certificates; (iii) ownership of book entry interests in Series 2009-1 Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Series 2009-1 Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Series 2009-1 Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Series 2009-1 Notes from the Depository, and shall cause note certificates in registered form and Authorized Denominations to be authenticated by the Note Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the Township, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Series 2009-1 Notes.

Section 7. Sale of the Series 2009-1 Notes to the Original Purchaser. It is determined to be in the best interest of the Township that the Series 2009-1 Notes shall be constructively sold at private sale to the Original Purchaser at a purchase price, not less than 100% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Series 2009-1 Notes 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 Series 2009-1 Notes to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Series 2009-1 Notes, 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 Note Purchase Agreement among the District, the Township, Miamisburg, Springboro and the original purchaser of the District Notes, in substantially the form as is now on file with the Fiscal Officer. The Note 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 Note 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 8. Provisions for Tax Levy. That during the period while such notes run there shall be levied upon all of the taxable property in the Township in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Series 2009-1 Notes; 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; provided, however, that in each year to the extent that other revenues are available for the payment of the Series 2009-1 Notes or such 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 revenues so available and appropriated.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the interest on and principal of the Series 2009-1 Notes and the bonds in anticipation of which they are issued when and as the same fall due.

Section 9. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2009-1 Notes and, to the extent possible, the District Notes in such manner and to such extent as may be necessary so that (a) the Series 2009-1 Notes and the District Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as notes to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2009-1 Notes and the District Notes to be and remain excluded from gross income for federal income tax

purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2009-1 Notes and the District Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer of this Township, the Administrator, or any other officer of the Township having responsibility for issuance of the Series 2009-1 Notes, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Series 2009-1 Notes and the District Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series 2009-1 Notes and the District Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series 2009-1 Notes and the District Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Series 2009-1 Notes and the District Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Series 2009-1 Notes and the District Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Series 2009-1 Notes and the District Notes.

Section 10. Official Statement, Rating, Note Insurance and Continuing Disclosure.

(a) Primary Offering Disclosure – Official Statement. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to this Township, 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 Notes, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the

Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the District Notes, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Note Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Series 2009-1 Notes or the District Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Series 2009-1 Notes or the District Notes, 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 Note Purchase Agreement, from the proceeds of the Series 2009-1 Notes or the District Notes 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 note insurance.

Section 11. Second Supplement to Cooperative Agreement. The Second Supplement to Cooperative Agreement among the Township, the District, Miamisburg and Springboro, providing generally for the issuance of the Series 2009-1 Notes to redeem the Outstanding Notes, is hereby approved in the form on file with the Fiscal Officer, 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, all of which shall be conclusively evidenced by the signing of the Second Supplement to Cooperative Agreement or amendments thereto.

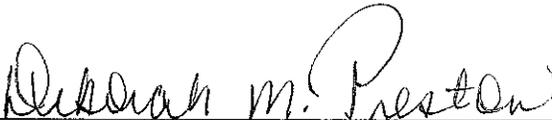
Section 12. Bond Counsel. The law firm of Calfee, Halter & Griswold LLP is hereby appointed to provide bond counsel services in connection with the issuance of the Series 2009-1 Notes. The costs of those services shall be paid from the proceeds of the Series 2009-1 Notes.

Section 13. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Series 2009-1 Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Series 2009-1 Notes have been performed and have been met, in regular and due form as required by law; that

the full faith and credit and general property taxing power (as described in Section 8) of the Township are pledged for the timely payment of the debt charges on the Series 2009-1 Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Series 2009-1 Notes.

Section 14. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution 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 15. 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



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: October 13, 2009
GSR:sld

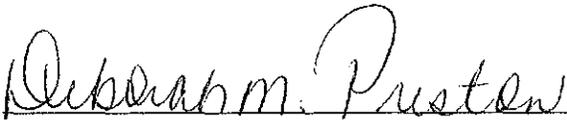
RESOLUTION #170-009

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

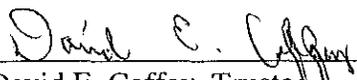
Whereas, Michael Watts has been a part-time FF/EMT since August 8, 2009; and

Whereas, Michael has decided to resign his part-time position to pursue out of state employment; and

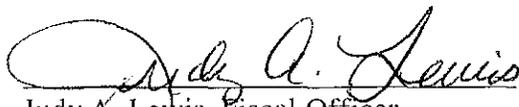
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Michael Watts, and termination of his employment is effective October 27, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 27, 2009
GSR:slf

RESOLUTION #171-2009

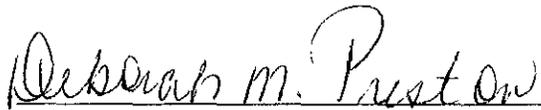
**RESOLUTION TO ACCEPT A LETTER OF INTENT TO RETIRE
FROM A PUBLIC WORKS EMPLOYEE**

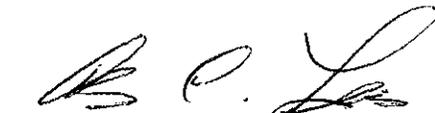
Whereas, Steve Arnold has been a mechanic in the Vehicle Maintenance Department since May 9, 1979; and

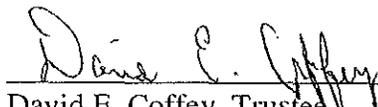
Whereas, Steve Arnold, after thirty (30) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Steve Arnold's last day of employment will be at the end of his work shift on Friday, October 30, 2009; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Steve Arnold, and termination of his employment to be effective at 3:30 pm on Friday, October 30, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 27, 2009
GSR:sld

RESOLUTION #172-2009

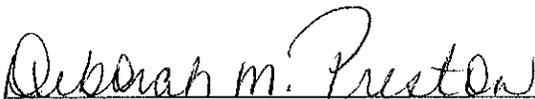
**RESOLUTION TO DECLARE CERTAIN TOWNSHIP EQUIPMENT TO
BE DISPOSED OF AS SURPLUS PROPERTY**

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 four (4) lists 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


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 27, 2009
GSR:sld

RESOLUTION #173-2009

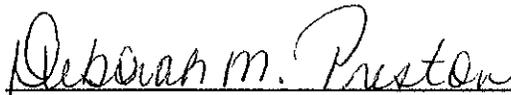
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
PRELIMINARY DEVELOPMENT PLAN FOR ZONING CASE #222-88,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 27, 2009; and

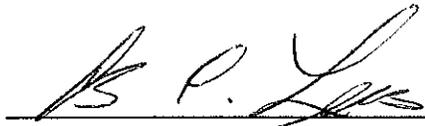
Whereas, Zoning Case #222-88, filed by RG Properties Inc., proposes adoption of a major modification to the preliminary development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

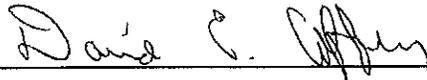
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan under Zoning Case #222-88 and SUPPORTS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 27, 2009

GSR:sld

RESOLUTION #174-2009

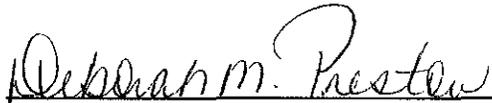
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
PHASE 1 ROADWAY IMPROVEMENTS UNDER ZONING CASE #222-88,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 27, 2009; and

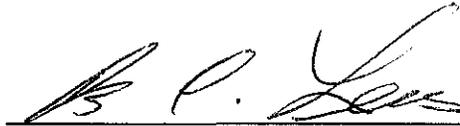
Whereas, Zoning Case #222-88, filed by the Montgomery County Transportation Improvement District, proposes adoption of a final development plan for Phase 1 roadway improvements for lands zoned "PD-5", Planned Mixed-Use; and

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



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 27, 2009

GSR:sld

RESOLUTION #175-2009

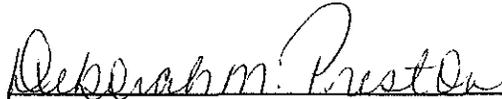
RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR A DEVELOPMENT LOT AND OFFICE BUILDING UNDER ZONING CASE #222-88, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, October 27, 2009; and

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



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: October 27, 2009

GSR:sld

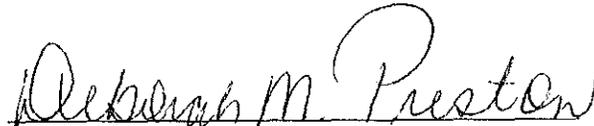
RESOLUTION #176-2009

**RESOLUTION TO AUTHORIZE THE TRANSFER OF AN EMPLOYEE'S
TOWNSHIP SERVICE TIME FOR THE PURPOSE
OF CALCULATING VACATION LEAVE FOR A POLICE
DEPARTMENT EMPLOYEE**

Whereas, the Ohio Revised Code permits the transfer of prior paid township service time for the purpose of calculating an employee's vacation accrual rate; and

Whereas, the Police Chief has made a recommendation consistent with Miami Township policy that paid prior township service time with another township or Miami Township be counted for the purpose of calculating the employee's vacation accrual rate; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the transfer of prior paid service time, in the amount of four (4) months, twenty-two (22) days from Perry Township, for the purposes of calculating the vacation accrual rate for Officer Howard Sloop.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: October 27, 2009
GSR:sld

**AMENDMENT
TO RESOLUTION #176-2009**

**RESOLUTION TO AUTHORIZE THE TRANSFER OF AN
EMPLOYEE'S PRIOR TOWNSHIP SERVICE TIME FOR THE
PURPOSE OF CALCULATING VACATION LEAVE FOR A
POLICE DEPARTMENT EMPLOYEE**

Whereas, the Ohio Revised Code permits the transfer of prior paid township service time for the purpose of calculating an employee's vacation accrual rate; and

Whereas, the Police Chief has made a recommendation consistent with Miami Township policy that paid prior township service time with another township or Miami Township be counted for the purpose of calculating the employee's vacation accrual rate; and

Whereas, there was an error in Resolution #176-2009 regarding the amount of prior service time to be transferred and the error was discovered after the passage of Resolution #176-2009; and

Whereas, there is a need to pass an amendment to Resolution #176-2009; and

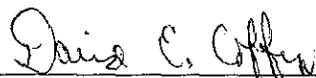
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the transfer of prior paid service time, in the amount of one (1) year, four (4) months, twenty-two days (22), from Perry Township, for the purposes of calculating the vacation accrual rate for Officer Howard Sloop.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed December 8, 2009
GSR:sld

RESOLUTION #177-2009

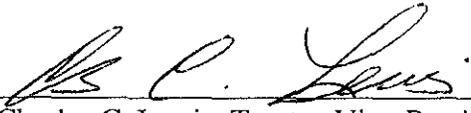
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

Whereas, Daniel Smith has been an part-time FF/EMT since June 9, 2008; and

Whereas, Daniel has decided to resign his part-time position to pursue a career position with the Monroe Fire Department; and

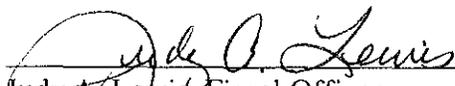
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Daniel Smith, and termination of his employment is effective November 10, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 10, 2009
GSR:sld

RESOLUTION #178-2009

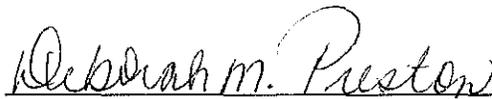
**RESOLUTION TO ACCEPT THE RESIGNATION OF A
PARK BOARD MEMBER**

Whereas, Dawn Schwartz has been serving on the Miami Township Park Board since October 11, 2005; and

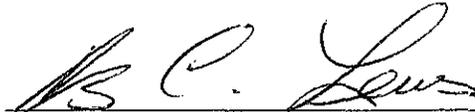
Whereas, Dawn Schwartz has served Miami Township in good stead with all appointments; and

Whereas, Dawn Schwartz has given official notice that she will resign her position effective November 4, 2009; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Dawn Schwartz and the termination of her appointment is effective immediately.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 10, 2009

GSR:sld

RESOLUTION #179-2009

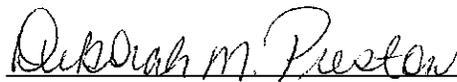
**RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE
CITY OF DAYTON AND THE MIAMI TOWNSHIP BOARD OF
TRUSTEES ALLOWING THE MIAMI TOWNSHIP POLICE
DEPARTMENT TO PARTICIPATE IN THE OVI COUNTYWIDE TASK
FORCE**

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

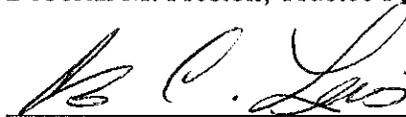
Whereas, Miami Township is authorized by the Ohio Revised Code to enter into contractual agreements with other governmental agencies for the purpose of creating task force solutions to community problems and receiving reimbursement from grants for actual expenses incurred while participating in the task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

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

Therefore Be It Resolved, the Miami Township Board of Trustees approve entering into an agreement with the City of Dayton (Lead Agency) that will allow the Miami Township Police Department to participate in the OVI Countywide Task Force and receive reimbursement for actual expense incurred while participating in the OVI Countywide Task Force effective October 28, 2009 (agreement attached).



Deborah M. Preston, Trustee President

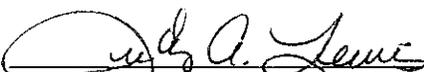


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 10, 2009

GSR:sld

RESOLUTION #180-2009

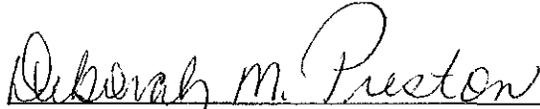
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A MAINTENANCE AGREEMENT WITH WYCOM**

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 2010; 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

absent

David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: November 10, 2009
GSR:sld

RESOLUTION #181-2009

AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENT PRIOR TO ISSUANCE, AND RELATED MATTERS

Whereas, United States Treasury Regulations prescribe conditions under which proceeds of bonds, notes or other obligations used to reimburse advances made for certain expenditures paid before the issuance of such obligations, will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, so that upon such reimbursement the proceeds so used will not further be subject to requirements or restrictions under those sections of the Internal Revenue Code; and

Whereas, certain provisions of those Regulations require that there be a Declaration of Official Intent not later than 60 days following payment of the expenditure expected to be reimbursed from the proceeds of such obligations, and that the reimbursement occur within prescribed time periods after the expenditure is paid or after the property is placed in service; and

Whereas, this Board of Trustees wishes to take steps for compliance by the Township with those Regulations; and

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

Section 1. Definitions. The following definitions apply to the terms used herein:

“Authorized Officer” means the Administrator of the Township or any person designated for the purpose by the Administrator of the Township.

“Bonds” means and includes bonds, notes, certificates and other obligations included in the meaning of “bonds” under Section 150 of the Internal Revenue Code of 1986.

“Declaration of Official Intent” means a declaration of intent, in the form and manner and time contemplated in the Reimbursement Regulations, that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of Reimbursement Bonds to be issued after those expenditures are paid.

“Reimbursement” or “reimburse” means the restoration to the Township of money temporarily advanced from its other funds and spent for capital expenditures (and certain other types of expenditures qualifying under the

Reimbursement Regulations, including any issuance costs for Reimbursement Bonds) before the issuance of the Reimbursement bonds, evidenced in writing by an allocation on the books and records of the Township that shows the use of the proceeds of the Reimbursement Bonds to restore the money advanced for the original expenditure. "Reimbursement" or "reimburse" generally does not include the refunding or retiring of Bonds previously issued and sold to, or borrowings from, unrelated entities.

"Reimbursement Bonds" means Bonds the proceeds of which are to be used for reimbursement of such capital or other qualifying expenditures paid before issuance of the Bonds.

"Reimbursement Regulations" means Treasury Regulations Section 1.150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as at the time applicable, prescribing conditions under which the proceeds of Reimbursement Bonds when allocated or applied to a reimbursement will be treated as expended for all or any purposes of Sections 103 and 141 to 150 of the Internal Revenue Code.

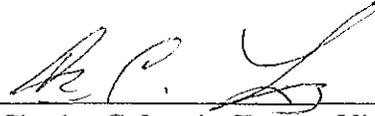
Section 2. Authorization and Requirement of Declarations of Official Intent. Each Authorized Officer is authorized to prepare and sign Declarations of Official Intent with respect to capital and other expenditures to which the Reimbursement Regulations apply (and including any costs of issuance of the Reimbursement Bonds) to be made from money temporarily available and which are reasonably expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from the proceeds of Reimbursement Bonds, to make appropriate reimbursement and timely allocations from the proceeds of the Reimbursement Bonds to reimburse such prior expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations to satisfy the requirements for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986. No advance from any fund or account or order for payment may be made for expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Reimbursement Bonds unless a Declaration of Official Intent with respect thereto is made within the time required by the Reimbursement Regulations. All Declarations of Official Intent heretofore made on behalf of the Township are hereby ratified and adopted.

Section 3. 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 4. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



Deborah M. Preston, Trustee President

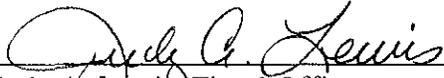


Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 10, 2009

GSR:sld

RESOLUTION #182-2009

RESOLUTION TO AUTHORIZE THE EXECUTION AND DELIVERY OF A SETTLEMENT AND RELEASE AGREEMENT BETWEEN MIAMI TOWNSHIP AND THE MONTGOMERY COUNTY ENGINEER'S OFFICE

WHEREAS, the Montgomery County Engineer's Office is responsible for securing all right-of-way necessary for the construction of Austin Road; and

WHEREAS, Miami Township is the owner of real estate that includes right-of-way necessary for the construction of the Austin Road; and

WHEREAS, the Montgomery County Engineer's Office must negotiate and secure the necessary right-of-way according to Ohio Department of Transportation (ODOT) and Federal Highway regulations that includes the Uniform Act Appraisal process as well as a predetermined schedule for right-of-way acquisition; and

WHEREAS, Miami Township desires to receive the highest and best fair market value of any Township real estate (right-of-way) necessary for construction of Austin Road; and

WHEREAS, appropriation of Miami Township owned real estate is necessary to maintain the established construction schedule for the Austin Road; and

WHEREAS, the Montgomery County Engineer and Miami Township have negotiated a Settlement Agreement and Release (Exhibit A attached) that will allow appropriation of the necessary right-of-way, and insure the highest and best fair market value is paid in a timely manor to the Township; and

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

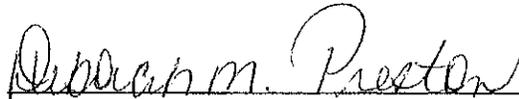
Section 1. The Board authorizes the sale to the Montgomery County Engineer's Office real estate necessary for construction right-of-way necessary for construction of the MOT CR 166 6.00 Austin Road, Parcels 2WD1, 2WD2 and 2T. The right-of-way is defined in the interchange construction drawings and the Uniform Act Appraisal performed by Michael A. Cahill, ASA, attached as Exhibit B to this resolution.

Section 2. Authorization for Execution and Delivery of the Project Development Agreement. The Board of Trustees of the Township hereby authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the

Township Settlement Agreement and Release as well as all other documents necessary to complete the right-of-way acquisition.

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

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



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed November 10, 2009
GSR:sld

RESOLUTION #183-2009

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A SERVICES AGREEMENT BETWEEN THE TOWNSHIP AND BRIER HILL ASSOCIATES, LLC IN CONNECTION WITH THE DEVELOPMENT OF VARIOUS PROJECTS WITHIN THE TOWNSHIP.

WHEREAS, Miami Township, Ohio (the "Township"), desires to engage Brier Hill Associates, LLC, an Ohio limited liability company (the "Service Provider"), to provide certain economic development services (the "Services"), with respect to projects within the Township; and

WHEREAS, the Township and the Service Provider now desire to enter into a Services Agreement (the "Services Agreement") relating to such projects wherein the Service Provider has agreed to provide the Services to the Township under the conditions set forth in the Services Agreement.

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

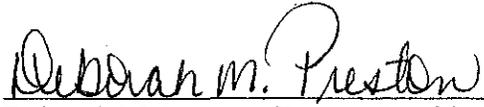
Section 1. Determinations of the Board. The Board of Trustees of the Township, having heretofore reviewed the form of the Services Agreement, now determines that it is a proper public purpose and in the best interests of the Township to enter into the Services Agreement.

Section 2. Authorization for Execution and Delivery of the Services Agreement. The Board of Trustees of the Township hereby authorizes and directs the President of this Board, or any one of the other Trustees or the Township Administrator, to execute and deliver for and on behalf of the Township the Services Agreement substantially in the form presently on file with the Fiscal Officer of the Township, with such changes thereto as may be approved by the Township official or officials executing the Services Agreement, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Services Agreement; provided that the Township's execution and delivery of the Services Agreement shall be subject to the approval of the Montgomery County Prosecutor. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Services Agreement.

Section 3. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action were in meetings open to the

public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 10, 2009

GSR:sld

RESOLUTION #184-2009

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A SERVICES AGREEMENT BETWEEN THE TOWNSHIP AND PROJECT MANAGEMENT CONSULTANTS, LLC IN CONNECTION WITH THE FINANCING OF VARIOUS PROJECTS WITHIN THE TOWNSHIP

WHEREAS, the Miami Township, Ohio (the "Township"), desires to engage Project Management Consultants, LLC, an Ohio limited liability company (the "Service Provider"), to provide certain economic development services (the "Services"), with respect to projects within the Township; and

WHEREAS, the Township and the Service Provider now desire to enter into a Services Agreement (the "Services Agreement"), relating to such projects wherein the Service Provider has agreed to provide the Services to the Township under the conditions set forth in the Services Agreement, and

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

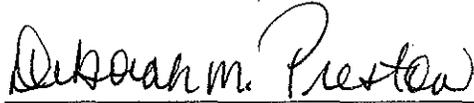
Section 1. Determinations of the Board. The Board of Trustees of the Township, having heretofore reviewed the form of the Services Agreement, now determines that it is a proper public purpose and in the best interests of the Township to enter into the Services Agreement.

Section 2. Authorization for Execution and Delivery of the Services Agreement. The Board of Trustees of the Township hereby authorizes and directs the President of this Board, or any one of the other Trustees or the Township Administrator, to execute and deliver for and on behalf of the Township the Services Agreement substantially in the form presently on file with the Fiscal Officer of the Township, with such changes thereto as may be approved by the Township official or officials executing the Services Agreement, the execution of which shall be prima facie evidence of such Township official's approval of the form of such Services Agreement; provided that the Township's execution and delivery of the Services Agreement shall be subject to the approval of the Montgomery County Prosecutor. The Township Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the Services Agreement.

Section 3. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action were in meetings open to the

public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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



Deborah M. Preston, Trustee President.

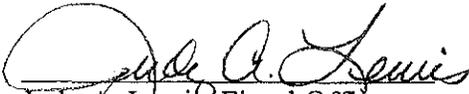


Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 10, 2009

GSR:sld

RESOLUTION #185-2009

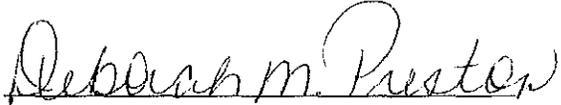
**RESOLUTION TO APPROVE A PAY INCREASE FOR
A PARKS SUPERVISOR**

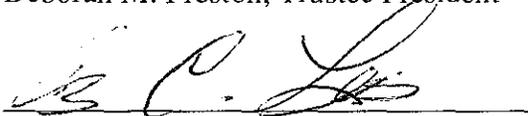
Whereas, Rex Gore has successfully served three (3) years as Parks Supervisor for the Public Works Department; and

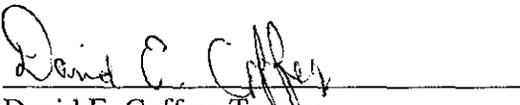
Whereas, a performance evaluation has been conducted by the Public Works Director, and an evaluation and recommendation has been completed; and

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 \$59,021.28, effective November 28, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President


David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: November 24, 2009

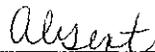
GSR:sld

RESOLUTION #186-2009

**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 Michelle "Shelley" Mahle 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

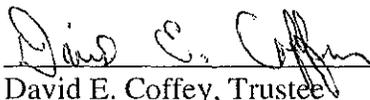
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with their hiring date to be determined by the Human Resources Director and said resolution becomes effective December 8, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed December 8, 2009

GSR:sld

RESOLUTION #187-2009

**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 Mona Maust 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

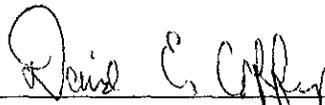
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with their hiring date to be determined by the Human Resources Director and said resolution becomes effective December 8, 2009.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice-President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed December 8, 2009

GSR:sld

RESOLUTION #188-2009

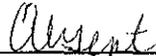
**RESOLUTION TO REQUEST TAX ADVANCES FROM THE
MONTGOMERY COUNTY AUDITOR IN FISCAL YEAR 2010**

Whereas, the Ohio Revised Code allows advancement of payments on taxes; and

Whereas, the tax bills will soon be sent out in Montgomery County; and

Whereas, Township residents will begin making payments upon receipt of these bills; and

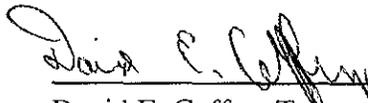
Therefore Be It Resolved, the Miami Township Board of Trustees requests the Montgomery County Auditor pay monthly advances to Miami Township of collected taxes during 2010.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer

Passed: December 8, 2009

GSR:sld

RESOLUTION #189-2009

**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 Oberer Development and Teradata, in an office building expansion of 20,512 square feet, in order to retain them in Miami Township and Montgomery County; and

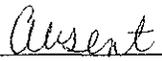
Whereas, Teradata will retain forty-nine (49) jobs and a payroll of 5.9 million dollars per year toward Miami Township's economy; and

Whereas, matching private funds from the landlord and Teradata have been committed; and

Whereas, additional funds are needed to satisfy the additional costs associated with the infrastructure and site improvements; 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

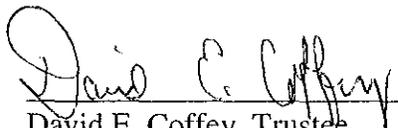
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to submit an ED/GE application of \$500,000 for the Opportunity Reserves 2009 ED/GE funding cycle.



Deborah M. Preston, Trustee President

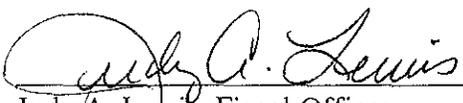


Charles C. Lewis, Trustee Vice President



David E. Coffey, Trustee

Attested:

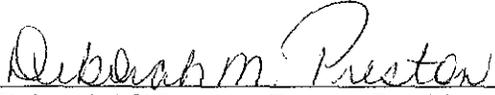


Judy A. Lewis, Fiscal Officer
Passed: December 8, 2009
GSR:sld

RESOLUTION #190-2009

**RESOLUTION TO TERMINATE THE EMPLOYMENT OF A
VOLUNTEER EMPLOYEE**

- Whereas,** Resolution 03-2006 created a volunteer position and Mike Laycox was hired to provide voluntary emergency management services training; and
- Whereas,** the need for this volunteer position is no longer necessary to the operations of the Division of Fire and EMS; and
- Whereas,** Mike Laycox' volunteer efforts to date have been appreciated; and
- Whereas,** Mike Laycox' volunteer services will terminate with the passing of this resolution; and
- Whereas,** the Interim Fire Chief and the Human Resources Director are making the recommendation to terminate Mike Laycox from the volunteer position; and
- Whereas,** the legal counsel supports the recommendation; and
- Whereas,** the Township Administrator supports the recommendation; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the termination of Mike Laycox from the volunteer position effective with the passing of this resolution.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer

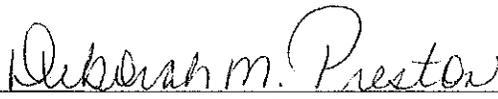
Passed: December 8, 2009

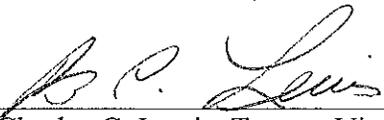
GSR:sld

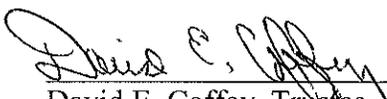
RESOLUTION #191-2009

RESOLUTION ABOLISHING VOLUNTEER PERSONNEL POSITIONS

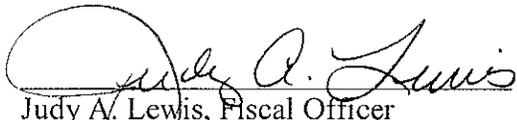
- Whereas,** Resolution 03-2006 created and hired two volunteer fire and emergency management services trainer/advisors; and
- Whereas,** the need for one of the volunteer positions are no longer necessary to the operations of the Division of Fire and EMS; and
- Whereas,** the Interim Fire Chief and the Human Resources Director are making the recommendation to terminate these volunteer positions; and
- Whereas,** the legal counsel supports the recommendation; and
- Whereas,** the Township Administrator supports the recommendation; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes that the two volunteer positions be abolished immediately.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice-President


David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed December 8, 2009
GSR:sld

RESOLUTION #192-2009

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

Whereas, Mike Hall has been an employee of the Public Works Department since April 2, 1979; and

Whereas, Mike Hall, after thirty (30) years of dedicated service to Miami Township, has submitted a letter of intent to retire; and

Whereas, Mike Hall's last day of employment will be at the end of his work shift on Thursday, December 31, 2009; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire from Mike Hall, and termination of his employment to be effective at 3:30 pm on Thursday, December 31, 2009.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:sld

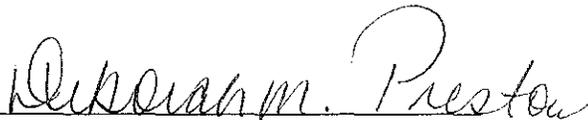
RESOLUTION #193-2009

RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF FUNDS FOR 2009

Whereas, the annual appropriations for 2009 are to provide for expenditures during fiscal year ending December 31, 2009; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees approves the attached amendment to the annual appropriations for 2009, and forwards the attached copy to the Montgomery County Auditor.


Deborah M. Preston Trustee President


Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:sld

AMENDED APPROPRIATIONS FOR 2009

FUND NUMBER	FUND / DEPARTMENT / ACCOUNT DESCRIPTION	AMOUNT
1	General Fund	
	Administration	
	Personnel	\$415,000
	Other	2,430,000
	Building Maintenance	
	Personnel	25,000
	Other	13,000
	Parks	
	Personnel	175,000
	Other	160,000
	Vehicle Maintenance	
	Personnel	40,000
	Other	20,000
	Planning and Zoning	
	Personnel	310,000
	Other	180,000
	Human Resources	
	Personnel	130,000
	Other	90,000
	Finance	
	Personnel	315,000
	Other	110,000
	Total Fund	4,413,000
2	Motor Vehicle License Tax Fund	
	Personnel	-
	Other	100,000
	Total Fund	100,000
2	Gasoline Tax Fund	
	Personnel	-
	Other	326,000
	Total Fund	326,000
4	Road and Bridge Fund	
	Personnel	775,000
	Other	4,000,000
	Total Fund	4,775,000

7	Lighting Assessment Fund		
	Personnel		
	Other		<u>120,000</u>
		Total Fund	120,000
8	Garbage and Waste Disposal Fund		
	Personnel		
	Other		<u>1,728,000</u>
		Total Fund	1,728,000
9	Police District Fund		
	Personnel		4,200,000
	Other		<u>2,200,000</u>
		Total Fund	6,400,000
10	Fire District Fund		
	Personnel		4,200,000
	Other		<u>2,600,000</u>
		Total Fund	6,800,000
14	FEMA Grant		
	Personnel		
	Other		<u>135,488</u>
		Total Fund	135,488
17	Waldruhe Park Trust Fund		
	Personnel		40,000
	Other		<u>-</u>
		Total Fund	40,000
23	Permissive Motor Vehicle Tax Fund		
	Personnel		-
	Other		<u>270,000</u>
		Total Fund	270,000
34	Miami Township City of Dayton Joint Economic Development District		
	Personnel		57,000
	Other		<u>-</u>
		Total Fund	57,000

36	Austin Road Personnel Other	<u>505,000</u>
	Total Fund	505,000
37	Dayton Mall Personnel Other	<u>410,050</u>
	Total Fund	410,050
90	Fire Budget Stabilization Fund Personnel Other	<u>-</u>
	Total Fund	-
91	General Fund Budget Stabilization Fund Personnel Other	<u>-</u>
	Total Fund	-
94	Road Budget Stabilization Fund Personnel Other	<u>-</u>
	Total Fund	-
99	Police Budget Stabilization Fund Personnel Other	<u>-</u>
	Total Fund	-
	Total	<u>\$ 26,079,538</u>

Charles Lewis

made a motion to approve the Resolution and

Deborah Preston

seconded the Resolution and the roll being

called upon its adoption the vote resulted as follows:

Deborah M. Preston

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

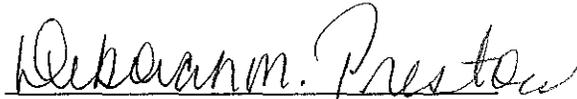
RESOLUTION #194-2009

RESOLUTION TO APPROVE AN APPROPRIATION OF FUNDS FOR 2010

Whereas, the annual appropriations for 2010 are to provide for expenditures for the fiscal year ending December 31, 2010; and

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

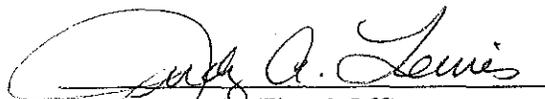
Therefore Be It Resolved, the Miami Township Board of Trustees approves the annual appropriations for 2010, and forwards the attached copy to the Montgomery County Auditor.


Deborah M. Preston Trustee President


Charles C. Lewis, Trustee Vice President

absent
David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:sld

APPROPRIATIONS FOR 2010

FUND NUMBER	FUND / DEPARTMENT / ACCOUNT DESCRIPTION	AMOUNT
1	General Fund	
	Administration	
	Personnel	\$383,000
	Other	455,000
	Building Maintenance	
	Personnel	21,000
	Other	5,000
	Parks	
	Personnel	46,000
	Other	70,000
	Planning and Zoning	
	Personnel	288,000
	Other	88,000
	Human Resources	
	Personnel	121,000
	Other	53,000
	Finance	
	Personnel	253,000
	Other	68,000
	Total Fund	1,851,000
2	Motor Vehicle License Tax Fund	
	Personnel	-
	Other	55,000
	Total Fund	55,000
3	Gasoline Tax Fund	
	Personnel	
	Other	262,000
	Total Fund	262,000
4	Road and Bridge Fund	
	Personnel	1,131,000
	Other	1,100,000
	Total Fund	2,231,000

7	Lighting Assessment Fund		
	Personnel		
	Other		115,000
			<hr/>
	Total Fund		115,000
8	Garbage and Waste Disposal Fund		
	Personnel		
	Other		1,800,000
			<hr/>
	Total Fund		1,800,000
9	Police District Fund		
	Operations		
	Personnel		4,250,000
	Other		1,100,000
			<hr/>
	Total Fund		5,350,000
10	Fire District Fund		
	Personnel		4,100,000
	Other		3,500,000
			<hr/>
	Total Fund		7,600,000
17	Waldruhe Park Trust Fund		
	Personnel		-
	Other		200,000
			<hr/>
	Total Fund		200,000
23	Permissive Motor Vehicle Tax Fund		
	Personnel		-
	Other		200,000
			<hr/>
	Total Fund		200,000
34	Miami Township City of Dayton Joint Economic Development District		
	Personnel		81,000
	Other		-
			<hr/>
	Total Fund		81,000

36	Austin Road Personnel Other		<u>300,000</u>
	Total Fund		300,000
37	Dayton Mall Personnel Other		<u>600,000</u>
	Total Fund		600,000
	Total	\$	<u><u>20,383,000</u></u>

Deborah Preston

made a motion to approve the Resolution and

Charles Lewis

seconded the Resolution and the roll being

called upon its adoption the vote resulted as follows:

Deborah M. Preston

Deborah M. Preston, Trustee President

Charles C. Lewis

Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

RESOLUTION #195-2009

RESOLUTION TO AUTHORIZE THE EXECUTION OF THE FIRST YEAR OPTION FOR TRASH COLLECTION SERVICES

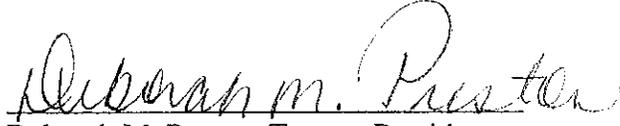
- Whereas,** on January 1, 2006 the Miami Township entered into an agreement with Waste Management for the purposes of supplying refuse and recycling services to the Township residents; and
- Whereas,** the agreement was for a three-year term with two, one-year options to renew; and
- Whereas,** on December 8, 2009 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, except for any government fee, but does include a change to the current yard waste program; and
- Whereas,** the new yard waste program will eliminate the yard waste bag and move to a 96 gallon wheeled container, 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, 2010.

Section 1. All terms and conditions of the agreement entered into prior to this extension is 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.

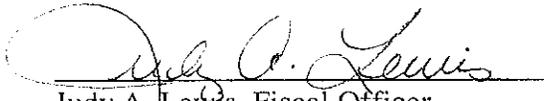
SIGNATURE PAGE ONLY FOR RESOLUTION #195-2009


Deborah M. Preston Trustee President


Charles C. Lewis, Trustee Vice President

absent
David E. Coffey, Trustee

Attested:

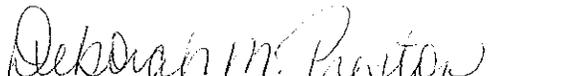

Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:sld

RESOLUTION #196-2009

RESOLUTION TO HIRE A CONTRACTUAL TOWNSHIP ADMINISTRATOR

- Whereas,** the Board of Trustees conducted an annual review of Gregory A. Hanahan, Township Administrator, and wishes to extend a contract to Gregory A. Hanahan for another year; and
- Whereas,** the terms of the contract period will be from January 1, 2010, through December 31, 2010, and all accruals will be based upon a twenty-six (26) payroll period; and
- Whereas,** subsequent contracts will be subject to negotiations and a performance evaluation prior to the end of the current contract period; and
- Whereas,** the salary shall reflect a zero increase and the salary shall remain at one hundred sixteen thousand, six hundred and ninety-nine dollars (\$116,699.00) for the contract period; and
- Whereas,** the sum total of three thousand, five hundred dollars (\$3,500.00) will be deposited into a deferred compensation account divided over twenty-six (26) pay periods; and
- Whereas,** health insurance is waived subject to a detrimental change in Gregory A. Hanahan's current health insurance status, at which time, deferred compensation will cease, and health insurance benefits will be substituted in lieu of deferred compensation; and
- Whereas,** vacation leave accrual will be two hundred (200) hours per contract period; and
- Whereas,** a car allowance of five hundred dollars (\$500.00), per month, will be paid, and for round-trip travels of one hundred (100) miles or more, Gregory A. Hanahan will be reimbursed at the current IRS reimbursement rate for the total miles traveled; and
- Therefore, Be It Resolved,** the Miami Township Board of Trustees authorizes the contractual hiring of Gregory A. Hanahan, as outlined above; and
- Further Be It Resolved,** the Miami Township Board of Trustees authorizes the Finance Director to establish the above benefits for Gregory A. Hanahan; and
- Lastly, Be It Resolved,** the above shall be effective beginning January 1, 2010.

SIGNATURE PAGE FOR RESOLUTION #196-2009 ONLY


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent
David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:ldg

RESOLUTION #197-2009

RESOLUTION FOR FRINGE BENEFIT PICK-UP PLAN

- Whereas,** pursuant to federal and Ohio laws, Miami Township may offset future salary increases and "pick-up" (assume and pay), a portion or all of the contributions statutorily-required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS), and the Ohio Police & Pension Fund (OP&F), and such individuals will not be required to pay federal and state income taxes on such contributions; and
- Whereas,** eligible employees are those covered by OPERS and OP&F who were hired prior to January 7, 2008; and
- Whereas,** Miami Township will not apply the Pick-up Plan to any employee hired on or after January 8, 2008; and
- Whereas,** Miami Township authorizes the assumption and payment of the following percentages of employee contributions for eligible non-bargaining unit employees and elected officials of the Ohio Public Employees Retirement System (OPERS), and the Ohio Police & Fire Pension Fund (OP&F); and
- OPERS, non-law enforcement and elected: capped at 10% of wages
OPERS, law enforcement: capped at 10.1% of wages
OPF, fire personnel: 10% of wages; and
- Whereas,** the combinations of the employee-required contributions, and therefore the assumption and payment by the Township of a portion or all of the percentages of the eligible employee and elected officials contributions, are known as the Fringe Benefit Pick-up Plan (Pick-up Plan); and
- Whereas,** a portion or all of the Pick-up Plan contributions, respectively, although designated as employee contributions, are employer-paid contributions; and
- Whereas,** eligible employees and elected officials shall not have the option of choosing to receive Pick-up Plan contributions directly; Pick-up contributions will be paid by the Township directly to the respective OPERS and OP&F organizations; and
- Whereas,** eligible employees and elected officials are a specific class of employees, as defined by OPERS and OP&F, and which meet Township guidelines for full time employees and elected officials; and
- Whereas,** the Township shall pay the statutorily-required contributions of eligible employees and elected officials into the OPERS or OP&F as applicable; and
- Whereas,** the implementation date of the Pick-up plan involves future employer contributions; and
- Whereas,** the Fiscal Officer is authorized to approve and implement the appropriate procedures to effect and account for the above- referenced Pick-up Plan to

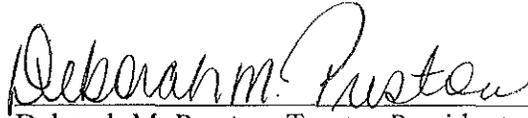
withhold from eligible employees and elected officials; and

Whereas, the Fiscal Officer is authorized to remit to OPERS and OP&F the Pick-up Plan amounts and in the Township reporting and remittances to OPERS and OP&F, to report that the contributions have been made by the Township Board of Trustees in lieu of contributions to OPERS by such Employees, and that said contributions are designated as public eligible employee and elected officials contributions; and

Therefore Be It Resolved, Miami Township authorizes the above Pick-up Plan contributions, in accordance with ORC and IRS regulations; and

Further Be It Resolved, Miami Township reserves its right to change all or any portion of the Pick-up Plan in accordance with ORC and IRS regulations as it deems appropriate; and

Lastly Be It Resolved, the Pick-up Plan will be implemented effective January 1, 2010 and is subject to satisfying any statutory bargaining obligations.


Deborah M. Preston, Trustee President


Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:


Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:ldg

RESOLUTION #198-2009

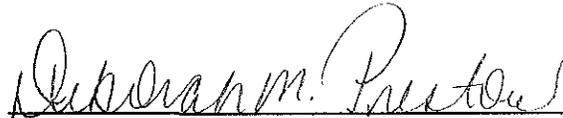
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR ZONING CASE #184-86, FOR
LANDS ZONED "PD-2", PLANNED OFFICE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, December 22, 2009; and

Whereas, Zoning Case #184-86, filed by Kettering Medical Center proposes adoption of a major modification to the final development plan for lands zoned "PD-2", Planned Office; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan under Zoning Case #184-86 and UPHOLDS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Charles C. Lewis, Trustee Vice President

absent

David E. Coffey, Trustee

Attested:



Judy A. Lewis, Fiscal Officer
Passed: December 22, 2009
GSR:sld