

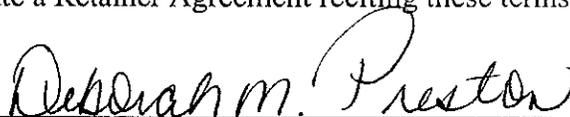
RESOLUTION #1-2008

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

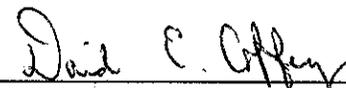
Whereas, Miami Township Board of Trustees met in regular session on January 8, 2008;
and

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

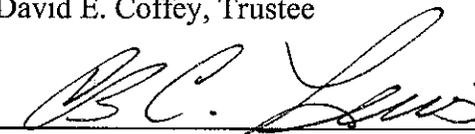
Therefore Be It Resolved, the Miami Township Board of Trustees hires the firm of Moots,
Carter & Hogan, a Legal Professional Association, be retained as Legal Counsel
to advise and represent Miami Township on legal matters relating to annexation.
Representation will be paid for as follows: \$205 per hour senior attorney time,
\$175 per hour attorney time, \$150 per hour associate attorney time, and \$75 per
hour law clerk or legal assistant time. Rate is fixed for 6 months, but subject to
increase thereafter, with a maximum increase of 6% every 6 months; time spent
on travel and telephone calls is considered billable time. Court costs and
expenses will be paid by the Township. Fees will be paid monthly upon receipt of
the bill. The Board will execute a Retainer Agreement reciting these terms.



Deborah M. Preston, Trustee



David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: January 8, 2008

GAH:ams

RESOLUTION #2-2008

**RESOLUTION TO APPROVE A CONTRACT FOR
ADMINISTRATIVE SERVICES**

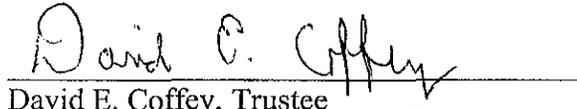
Whereas, the Board of Trustees, based on the recommendation of the Assistant Township Administrator, desires to provide for additional personnel during administrative staff absences; and

Whereas, Bernice McFadden has the experience and training to perform the necessary duties, and has agreed to perform those duties at the rate of \$10.00 per hour, not to exceed a total consideration of \$2,000 during the calendar year 2008; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves Bernice McFadden to be contracted to provide administrative services, as needed during administrative staff absences, at a rate of \$10.00 per hour, not to exceed \$2,000 during the calendar year 2008.



Deborah M. Preston, Trustee



David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

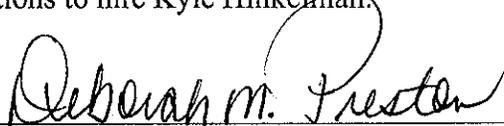
Passed: January 8, 2008

GAH:ams

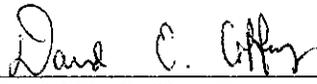
RESOLUTION #3-2008

RESOLUTION TO HIRE A PLANNER

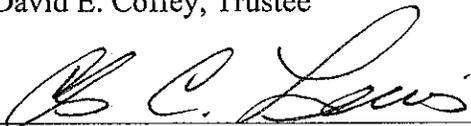
- Whereas,** the planner position in Planning and Zoning was vacant; and
- Whereas,** the Departments of Planning and Zoning and Human Resources have conducted a professional and defensible recruitment and selection process; and
- Whereas,** candidate Kyle Hinkelman's selection process scores allowed him to qualify for a conditional offer of employment; and
- Whereas,** Kyle Hinkelman has successfully passed all post-conditional offer assessments; and
- Whereas,** both the Planning and Zoning and Human Resources Directors are recommending to the Board of Trustees that Kyle Hinkelman be hired, effective January 7, 2008, at an hourly rate of \$18.51, and that he be eligible for PERS pickup; and
- Therefore, Be It Resolved,** the Miami Township Board of Trustees accepts the above recommendation, and approves the hiring of Kyle Hinkelman as a Planner, as outlined above; and
- Further, Be It Resolved,** the Board of Trustees directs the Department Heads to take the appropriate actions to hire Kyle Hinkelman.



Deborah M. Preston, Trustee

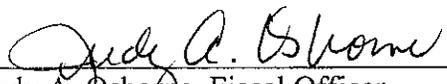


David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 8, 2008
GAL:ams

RESOLUTION #4-2008

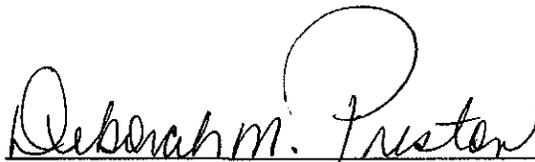
**RESOLUTION TO APPROVE MEMBERSHIP TO THE
MIAMI VALLEY REGIONAL PLANNING COMMISSION**

Whereas, the Miami Township Board of Trustees has determined membership to the Miami Valley Regional Planning Commission (MVRPC) is desirable for 2008; and

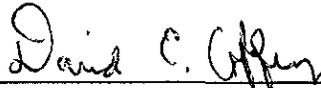
Whereas, membership dues to the MVRPC for 2008 are \$0.46 per capita, and the 2000 United States Census list the population of Miami Township as 25,706 ; and

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 2008; and

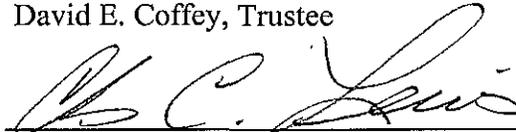
Therefore Be It Further Resolved, the Miami Township Board of Trustees will evaluate membership to the MVRPC on a yearly basis prior to renewing membership.



Deborah M. Preston, Trustee

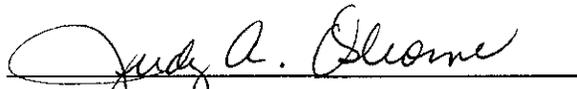


David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy Osborne, Fiscal Officer

Passed: January 8, 2008

GAH:ams

RESOLUTION #5-2008

**RESOLUTION TO REAPPOINT A CRAINS RUN
WATER & SEWER DISTRICT BOARD OF TRUSTEE MEMBER**

Whereas, Chapter 6119 of the Ohio Revised Code allows townships to establish water and sewer districts; and

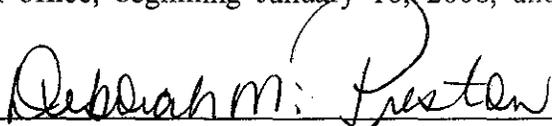
Whereas, the Montgomery County Court of Common Pleas has declared that the Crains Run Water & Sewer District (CRW&SD) is established under the auspices of Chapter 6119; and

Whereas, Chapter 6119 requires that a Board of Trustees be appointed for water and sewer districts; and

Whereas, James M. Phillips was appointed to the Board for a term of office ending January 15, 2008; and

Whereas, James M. Phillips has indicated he would like to continue serving on the Board, and the Miami Township Administrator is recommending he be reappointed; and

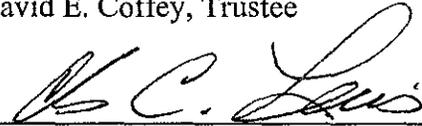
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints James M. Phillips to a new term of office, beginning January 16, 2008, and ending January 15, 2011.



Deborah M. Preston, Trustee



David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 8, 2008
GAH:ams

RESOLUTION #6-2008

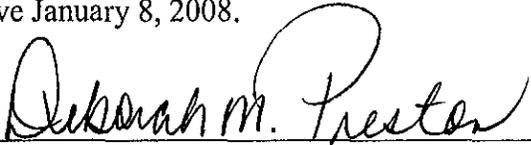
**RESOLUTION TO AUTHORIZE THE HIRING OF A
PART TIME FIREFIGHTER/PARAMEDIC**

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

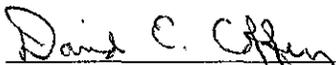
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire a part time Firefighter/Paramedic, as follows:

Blaine Moore Grade S-1 \$11.61 / per hour

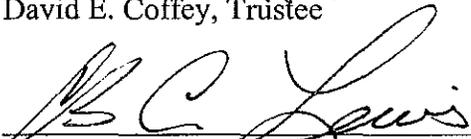
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with a hiring date to be determined by the Division of Fire & EMS, effective January 8, 2008.



Deborah M. Preston, Trustee



David E. Coffey, Trustee



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 8, 2008
GAH:ams

RESOLUTION #7-2008

RESOLUTION TO APPROVE 2008 PAY SCHEDULE

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

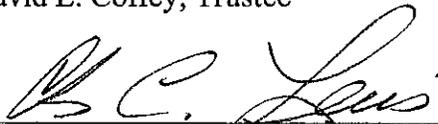
Whereas, the Pay Schedule also acts as a convenient tool for reviewing compensatory issues for employees who are also union members; and

Whereas, in follow-up to the Board passing a cost of living increase for 2008, the Pay Schedule has been modified to reflect the three-percent (3%) increase; and

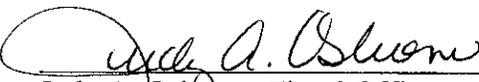
Therefore, Be It Resolved, the Miami Township Board of Trustees approves the use of the 2008 Pay Schedule, as attached, to be effective January 1, 2008.


Deborah M. Preston, Trustee


David E. Coffey, Trustee


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 8, 2008
GAH:ams

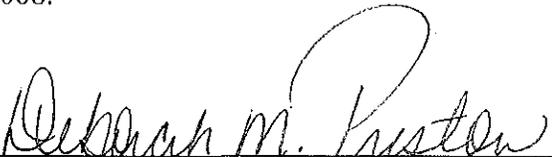
RESOLUTION #8-2008

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

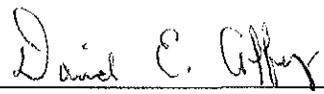
Whereas, Joshua D. Boehmer has been a part time Firefighter/EMT since January 6, 2001; and

Whereas, Joshua has decided to resign his position as a part time employee, as a result of his full time employment and the pending birth of their first child; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Joshua D. Boehmer, and termination of his employment is effective January 19, 2008.



Deborah M. Preston, Trustee President

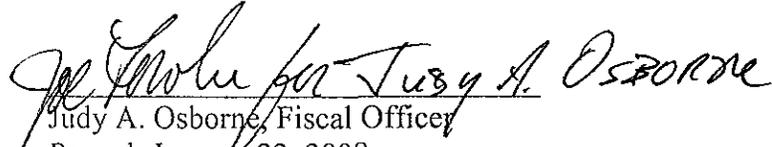


David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



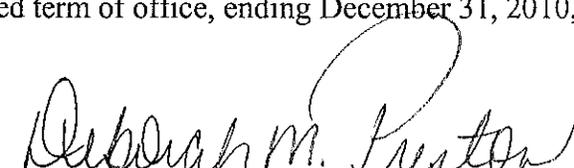
Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #9-2008

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

- Whereas,** the Zoning Commission is made up of five (5) regular members and one (1) alternate member; and
- Whereas,** there is a need to fill the regular position formerly held by J. Timothy Stewart; and
- Whereas,** Kathleen Rosenberg currently serves as the alternate member on the Zoning Commission; and
- Whereas,** the Assistant Zoning Director has made a recommendation to the Board of Trustees; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Kathleen Rosenberg to serve on the Zoning Commission, as a regular member, terminating her appointment as an alternate member, for the remainder of J. Timothy Stewart's unexpired term of office, ending December 31, 2010, effective immediately.



Deborah M. Preston, Trustee President

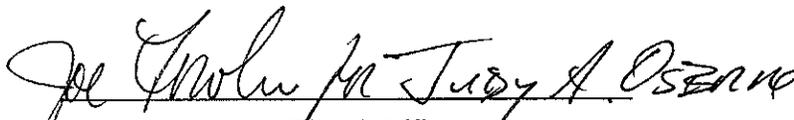


David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #10-2008

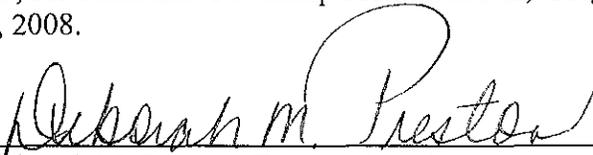
**RESOLUTION TO AUTHORIZE A WAGE INCREASE FOR
THE ASSISTANT TOWNSHIP ADMINISTRATOR**

Whereas, Gregory S. Rogers has successfully served as Assistant Township Administrator for two (2) years; and

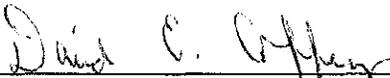
Whereas, the Township Administrator has conducted a performance evaluation and is making his recommendation; and

Whereas, the Township Administrator is recommending a merit increase; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase to \$88,042.05, per year, for Assistant Township Administrator, Gregory S. Rogers, effective January 29, 2008.



Deborah M. Preston, Trustee President

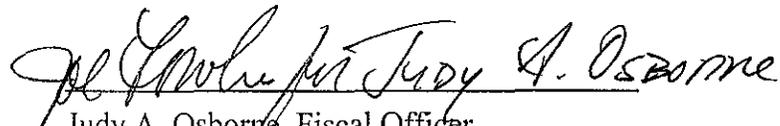


David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #11-2008

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

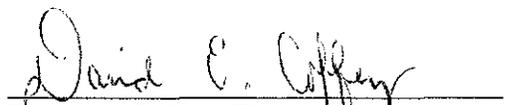
Whereas, Ron Robinson has served successfully in the Public Works Department for one (1) year as Street Supervisor; and

Whereas, the Public Works Director has conducted a performance evaluation, and the Board of Trustees has reviewed the performance evaluation; and

Whereas, the Public Works Director is recommending a two-percent (2%) wage increase, from Pay Grade D, \$52,953.76 per year, to \$54,012.84 per year; and

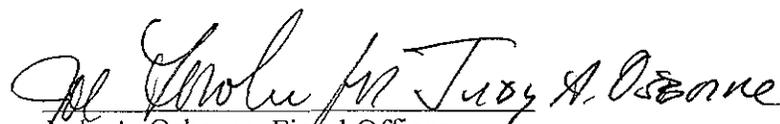
Therefore Be It Resolved, the Miami Township Board of Trustees approves Ron Robinson's wage increase, to \$54,012.84 per year, effective February 4, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #12-2008

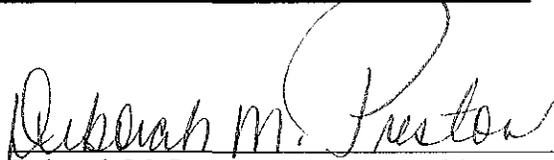
RESOLUTION TO HIRE CALFEE, HALTER & GRISWOLD, LLP TO PROVIDE LEGAL SERVICES IN CONNECTION WITH ECONOMIC DEVELOPMENT AND FINANCING MATTERS

Whereas, the Miami Township Board of Trustees hereby retains the law firms of Calfee, Halter & Griswold LLP, to provide legal services relating to economic development and financing matters including, but not limited to the establishment of a community improvement corporation, land acquisition issues, tax increment finance matters, the establishment of joint economic development districts and the issuance of township obligations. In providing those legal services, as an independent contractor and in an attorney-client relationship, that Firm shall not exercise any administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the State or any political subdivision or the execution of public trusts; and

Therefore, Be It Resolved, for those legal services, that Firm shall be paid a fee now estimated at \$35,000, for the period from January, 2008, through December, 2008, provided that such fees shall be based on the Firm's usual and customary rates for services actually rendered. The Firm shall also be reimbursed for actual out-of-pocket expenses (including, but not limited to, travel, long-distance telephone, and duplicating expenses), incurred in providing those legal services. The amount necessary to make those payments is hereby appropriated from the General 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 that Firm; and

Be It Further Resolved, the Miami Township Board of Trustees finds and determines that all formal actions of this Board, and any of its committees concerning and relating to the adoption of this Resolution, were taken in an open meeting of this Board or committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

SIGNATURE PAGE FOR RESOLUTION #12-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:

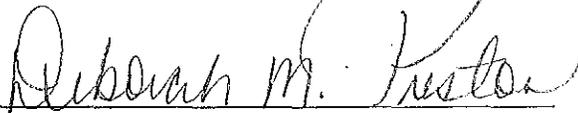

Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #13-2008

RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE A MAINTENANCE AGREEMENT WITH MEDTRONIC FOR THE MAINTENANCE OF LIFEPAK® 12 DEFIBRILLATOR / MONITORS

- Whereas,** the Miami Township Division of Fire/EMS is desirous of entering into a maintenance agreement with Medtronic for the maintenance of the Division's Lifepak 12® defibrillator/monitors; 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,** Chief David B. Fulmer is satisfied that the maintenance services provided by Medtronic will meet the needs of the Division of Fire/EMS, and that Medtronic will be capable of providing prompt service and supplies in a timely fashion; 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 the Division's Lifepak12® defibrillator/monitors from Medtronic, from January 29, 2008, through January 28, 2011, at a cost not to exceed \$9,450.00.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #14-2008

RESOLUTION TO AUTHORIZE 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 Miami Township, Montgomery County, Ohio (the Issuer) with those Regulations;

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

Section 1. Definitions. The following definitions apply to the terms used herein:

“Authorized Officer” means the Township Administrator, Fiscal Officer or any person designated for the purpose by Township Administrator.

“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 Issuer 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 Issuer 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.

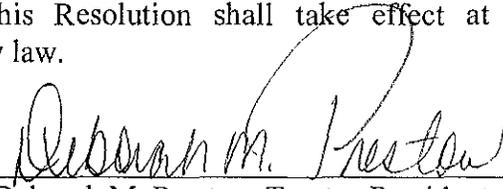
“Reimbursement Bonds” means Bonds the proceeds of which are to be used for reimbursement of such capital or other qualifying expenditures paid before issuance of the Bonds.

“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.

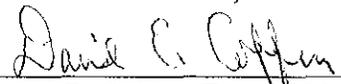
Section 2. Authorization and Requirement of Declarations of Official Intent. Each Authorized Officer is authorized to prepare and sign Declarations of Official Intent with respect to capital and other expenditures to which the Reimbursement Regulations apply (and including any costs of issuance of the 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 Issuer are hereby ratified and adopted.

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

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



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: January 22, 2008
GAH:ams

RESOLUTION #15-2008

RESOLUTION TO APPROVE A JOINT COLLABORATION BETWEEN MIAMI TOWNSHIP AND THE CITY OF MIAMISBURG FOR THE MERGER OF FIRE/EMS DELIVERY SERVICES

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

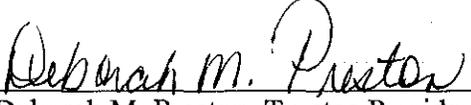
WHEREAS, the culmination of sixteen (16) months of study and research of the Steering Committee, and its subcommittee, is summarized in the Fire Services Collaboration Subcommittee Report to The Steering Committee, authored by Fire Chief Robert L. Bobbit, Miamisburg Fire Division, and Fire Chief David B. Fulmer, Miami Township Division of Fire/EMS, with the assistance of Glenn E. Alexander, Steering Committee Coordinator ("Exhibit A" attached), recommending the two (2) jurisdictions pursue a merger of departments, in some fashion, as determined by further collaborative study; and

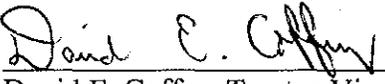
SIGNATURE PAGE FOR RESOLUTION #15-2008 ONLY

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

NOW THEREFORE, BE IT RESOLVED, the Miamisburg City Council and the Miami Township Board of Trustees accepts the recommendation of the Fire Services Collaboration Steering Committee; and

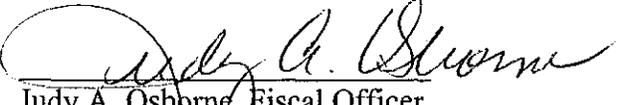
NOW THEREFORE, BE IT FURTHER RESOLVED, both jurisdictions agree to work cooperatively to develop a Memorandum of Understanding (MOU), authorizing the steps necessary to study and develop a recommendation for merger of the two (2) Fire Service Delivery Systems, as determined through further collaborative study, with the recommendation to be considered for adoption by the full elected bodies of both jurisdictions.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 5, 2008
GAH:ams

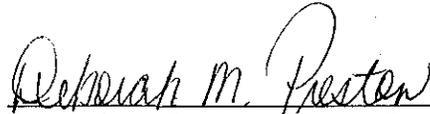
RESOLUTION #16-2008

RESOLUTION TO SUPPORT ISSUE 33, A BOND ISSUE PLACED ON THE BALLOT BY MIAMISBURG CITY SCHOOLS, FOR CONSIDERATION BY VOTERS ON ELECTION DAY

- WHEREAS,** the Miamisburg City School District has a long-standing tradition of providing an outstanding education to local students and typically ranks as one of the highest achieving districts in the region; and
- WHEREAS,** the Miamisburg City School District has achieved statewide and national acclaim in recent years, despite the unique challenges presented by a dramatically growing student population that has resulted in overcrowded conditions and the current use of twenty-four (24) classroom trailers; and
- WHEREAS,** every building in the Miamisburg City School District operates over capacity, and the recent two percent (2%) annual growth in the student population is projected to continue for at least the next several years; and
- WHEREAS,** Issue 33 is a bond issue for 4.97 mills that will fund a comprehensive facility plan to relieve overcrowded conditions, eliminate classroom trailers, and accommodate future growth through construction of a new middle school, a new elementary school and expansion of the current high school, among other necessary building projects; and
- WHEREAS,** this facilities' plan will benefit every student in the Miamisburg City School District and was developed with significant community input; and
- NOW, THEREFORE, BE IT RESOLVED,** by the Miami Township Board of Trustees that:

- Section 1.** Miami Township hereby endorses Issue 33 and supports the efforts of the Miamisburg City School District to successfully address overcrowded conditions in order to continue providing the finest possible public education for current and future students; and
- Section 2.** Miami Township hereby urges all voters residing within the Miamisburg City School District to support Issue 33, on Election Day, March 4th, 2008; and
- Section 3.** this measure shall take effect and be in force from and after the earliest period allowed by law.

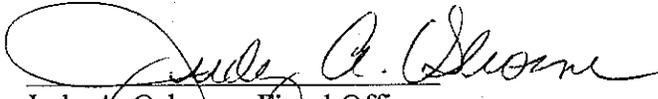
SIGNATURE PAGE FOR RESOLUTION #16-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 5, 2008
GAH:ams

RESOLUTION #17-2008

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.86 of the Ohio Revised Code, to provide for removal, repair, or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township, or by the county building department, or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations, or the performance of building inspections in the township, or buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and
- Whereas,** the Board of Trustees has given notice to all owners and lien holders of record of the property located at 2521 Miami Village Drive, in Miami Township, Ohio, that a nuisance is alleged to exist at the property, and that a public hearing concerning said alleged nuisance/hazard would be conducted before the Board of Trustees on February 12, 2008; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on February 12, 2008, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance/hazard; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the property located at 2521 Miami Village Drive, in Miami Township, Ohio, is insecure, unsafe, or structurally defective and constitutes a nuisance/hazard; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees orders the owner(s) and/or lien holders to repair or remove structure(s) on said property within (30) days of the date of the mailing of this resolution, or that the owner or lien holder of said property may, within (30) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees to abate said nuisance/hazard; and
- Be It Further Resolved,** if said structure(s) are not repaired or removed within (30) days, the Miami Township Board of Trustees authorizes staff to contract for the removal of structure on said property and assess the cost to the property tax duplicate:

SIGNATURE PAGE FOR RESOLUTION #117-2008 ONLY

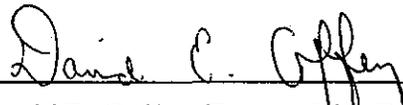
2521 Miami Village Drive
Miamisburg, OH 45342
Parcel ID #K45-25803-0005
Robert L. Snow
2521 Miami Village Drive
Miamisburg, OH 45432

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

Fifth Third Bank (Western Ohio)
110 North Main Street
Dayton, OH 45402



Deborah M. Preston, Trustee President

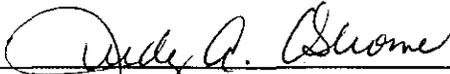


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: February 12, 2008

GAH:ams

RESOLUTION #18-2008

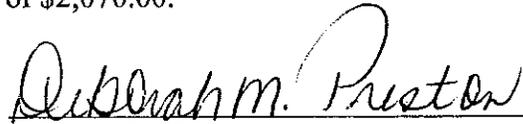
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE
A MAINTENANCE AGREEMENT FOR THE
COMMUNICATION CENTER RECORDING EQUIPMENT**

Whereas, the Miami Township Police Department is desirous of retaining the services of Steve Campbell and Associates for the maintenance of recording equipment in the Communication Center, as specified in the attached agreement; and

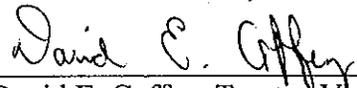
Whereas, Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement, if the amount is under the statutory bidding contract requirement; and

Whereas, Miami Township is satisfied with the services previously provided by Steve Campbell and Associates, and the Police Chief is recommending entering into the maintenance agreement with Steve Campbell and Associates, as a sole-source supplier; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure a maintenance agreement with Steve Campbell and Associates for the repair of recording equipment in the Communication Center, from January 1, 2008, through December 31, 2008, at a cost of \$2,070.00.



Deborah M. Preston, Trustee President

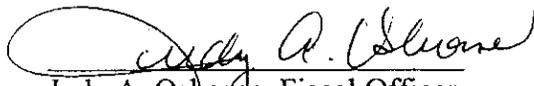


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: February 12, 2008
GAH:ams

RESOLUTION #19-2008

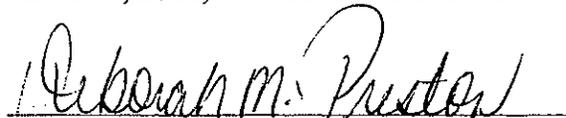
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MAINTENANCE AGREEMENT WITH P & R
COMMUNICATIONS FOR MAINTENANCE OF
COMMUNICATION CENTER COMMUNICATION EQUIPMENT
AND POLICE DEPARTMENT EQUIPMENT**

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

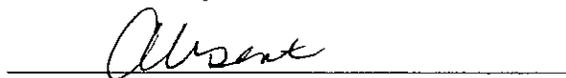
Whereas, Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement, if the amount is under the statutory bidding requirement; and

Whereas, the Chief of Police is satisfied that the maintenance services provided by P & R Communications will meet the needs of the Communication Center and 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

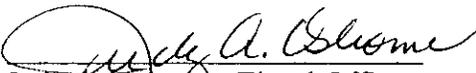
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure maintenance services for Communication Center communication equipment and Police Department communication equipment from P & R Communications from January 1, 2008, through December 31, 2008, at a cost not to exceed \$17,178.37.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 12, 2008
GAH:ams

RESOLUTION #20-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A MAINTENANCE AGREEMENT WITH MOTOROLA
FOR MAINTENANCE OF THE 911 SYSTEM**

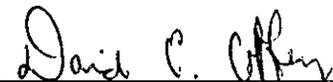
Whereas, the Miami Township Police Department is desirous of entering into a maintenance agreement with Motorola for maintenance of the 911 System; and

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

Whereas, the Chief of Police is satisfied that the maintenance services provided by Motorola will meet the needs of the police department, and that Motorola will be able to provide any needed parts for repair in a timely manner; and

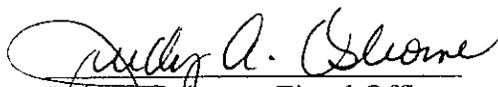
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a maintenance agreement for the 911 System from Motorola, from January 1, 2008, through December 31, 2008, at a cost not to exceed \$11,480.04.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 12, 2008
GAH:ams

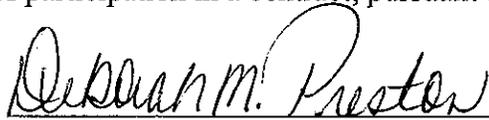
RESOLUTION #21-2008

RESOLUTION TO AUTHORIZE PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM

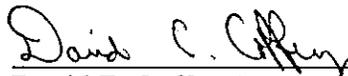
Whereas, Section 5513.01 (B) of the Ohio Revised Code authorizes local government agencies to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies or other articles; and

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

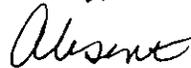
- Section 1.** the Public Works Director hereby requests authority, in the name of the Miami Township Board of Trustees, to participate in ODOT contracts for the purchase of machinery, materials, supplies or other articles the Department has entered into, pursuant to ORC Section 5513.01 (B); and
- Section 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; and
- 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; and
- Section 4.** the Miami Township Board of Trustees agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract, pursuant to ORC Section 5513.01(B).



Deborah M. Preston, Trustee President

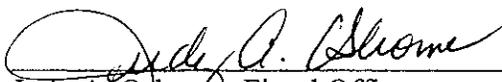


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: February 12, 2008

GAH:ams

RESOLUTION #22-2008

**RESOLUTION TO HIRE COLE+RUSSELL ARCHITECTS
FOR ARCHITECTURAL AND PLANNING SERVICES RELATED
TO THE CONSTRUCTION OF A NEW PUBLIC WORKS FACILITY**

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

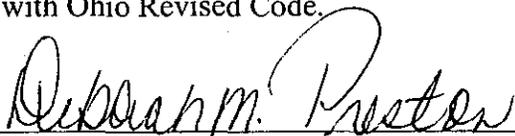
Whereas, Miami Township has properly solicited "Request For Qualifications" (RFQ) proposals to develop a Facility Master Plan (FMP), architectural design, and project management services, from qualified architectural firms; and

Whereas, Miami Township has thoroughly reviewed the two (2) RFQ's that were submitted, including conducting interviews with the two (2) architectural firms (Cole+Russell Architects, Inc. and McGill Smith Punshon, Inc.); and

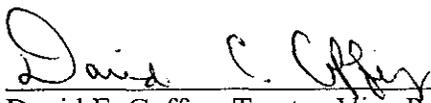
Whereas, Cole+Russell Architects, Inc. was determined to be the most qualified firm to develop a new Public Works Facility Master Plan, architectural design, project management, and other related services; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to enter into contract, with Cole+Russell Architects, Inc., to develop a Facilities Master Plan, architectural design, project management, and other related services for the new Public Works Facility, with the Facilities Master Planning process not to exceed a cost of \$20,000.00, subject to the hourly and itemized terms of the attached letter of proposal (Exhibit A).

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



Deborah M. Preston, Trustee President



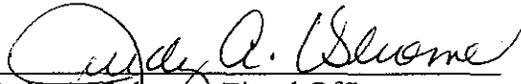
David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

SIGNATURE PAGE FOR RESOLUTION #22-2008 ONLY

Attested:

A handwritten signature in cursive script, reading "Judy A. Osborne". The signature is written in black ink and is positioned above a horizontal line.

Judy A. Osborne, Fiscal Officer

Passed: February 12, 2008

GAH:ams

RESOLUTION #23-2008

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

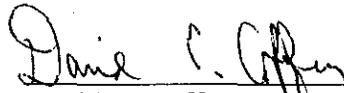
Whereas, Marilyn Hugger has been an Administrative Assistant I since June 8, 1997;
and

Whereas, Marilyn Hugger has decided to resign her full time position and enjoy
retirement with her husband; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation of Marilyn Hugger, and termination of her employment is
effective April 12, 2008.



Deborah M. Preston, Trustee President

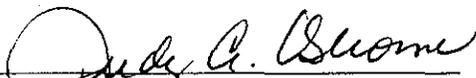


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed February 26, 2008
GAH:ams

RESOLUTION #24-2008

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

Whereas, Ted Bowers has been an part time Firefighter/EMT since August 9, 2005; and

Whereas, Ted has decided to resign his part time position to concentrate on his career ambitions; and

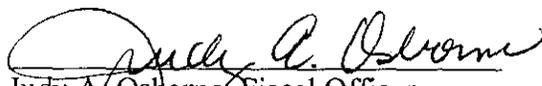
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Ted Bowers, and termination of his employment is effective February 29, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed February 26, 2008
GAH:ams

RESOLUTION #25-2008

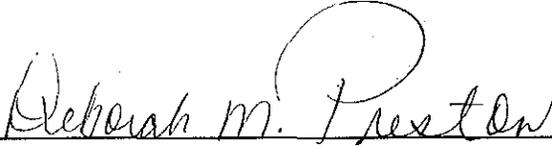
**RESOLUTION TO APPOINT A NEW
ZONING COMMISSION MEMBER**

Whereas, the Zoning Commission is made up of five (5) regular members and one (1) alternate; and

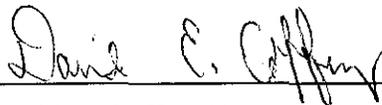
Whereas, there is a need to fill the alternate position, formerly held by Kathleen Rosenberg; and

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

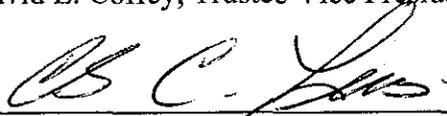
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Eric J. Halter to serve on the Zoning Commission for the remainder of Kathleen Rosenberg's unexpired term of office, ending December 31, 2008, effective immediately.



Deborah M. Preston, Trustee President

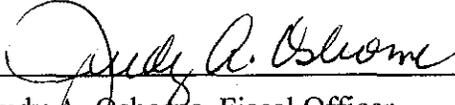


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

RESOLUTION #26-2008

**RESOLUTION TO APPROVE A WAGE INCREASE FOR A
ROAD WORKER**

Whereas, Jay Crawford has successfully completed one (1) year in the Public Works Department in the position of Road Worker; and

Whereas, a performance evaluation has been conducted, and the Public Works Director is recommending an increase in pay to Step 3, Pay Grade 5; and

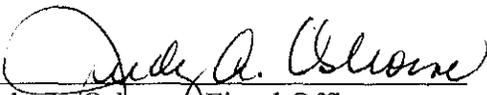
Therefore Be It Resolved, the Miami Township Board of Trustees approves Jay Crawford's pay increase to Step 3, Pay Grade 5, at an hourly rate of \$16.49, effective February 26, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

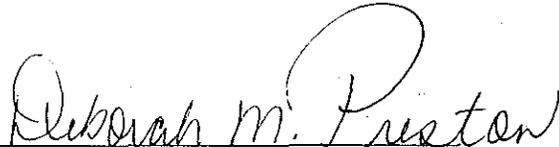
RESOLUTION #27-2008

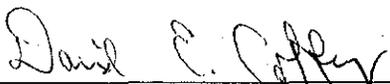
**RESOLUTION TO APPROVE A WAGE INCREASE FOR A
ROAD WORKER**

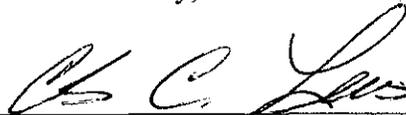
Whereas, Donnie Harper has successfully completed one (1) year in the Public Works Department in the position of Road Worker; and

Whereas, a performance evaluation has been conducted, and the Public Works Director is recommending an increase in pay to Step 3, Pay Grade 5; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves Donnie Harper's pay increase to Step 3, Pay Grade 5, at an hourly rate of \$16.49, effective February 26, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

RESOLUTION #28-2008

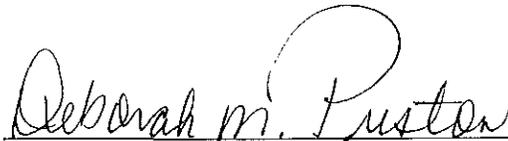
**RESOLUTION TO APPROVE A PAY INCREASE
FOR A DIVISION OF FIRE/EMS EMPLOYEE**

Whereas, Rebekah Biggs has successfully served a six (6)-month introductory period as a Fire Administrative Assistant I for the Miami Township Division of Fire & EMS; and

Whereas, Fire Chief David B. Fulmer has indicated her successful completion of this introductory period and has recommended a wage increase; and

Whereas, the Miami Township Board of Trustees have reviewed the recommendation of Fire Chief David B. Fulmer; and

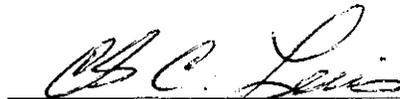
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Rebekah Biggs to Step 2, Pay Grade 7, at a rate of \$13.40 per hour, effective February 27, 2008.



Deborah M. Preston, Trustee President

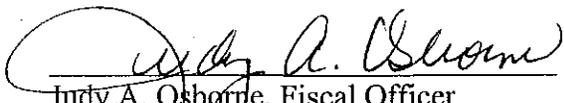


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:

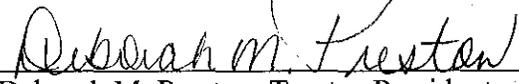


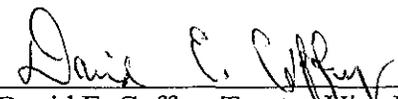
Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

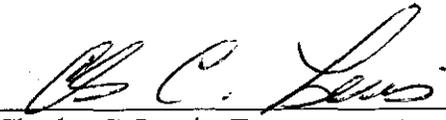
RESOLUTION #29-2008

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

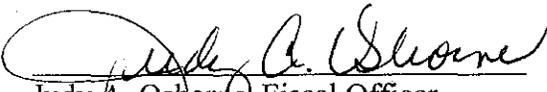
- Whereas,** Susan Davis was promoted to Administrative Assistant II on February 19, 2006; and
- Whereas,** Susan Davis' performance over the last year warrants consideration for the next pay schedule increase; and
- Whereas,** a performance evaluation has been conducted and the Human Resource Director and the Assistant Township Administrator are recommending an increase in pay to Step 4, 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 4, \$17.11 per hour, effective February 19, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

RESOLUTION #30-2008

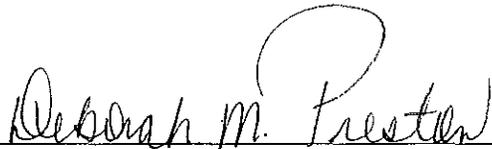
**RESOLUTION TO AWARD A CONTRACT TO PURCHASE A
2008 FORD F250 SUPERCAB 4X4 FOR THE PUBLIC WORKS DEPARTMENT**

Whereas, Miami Township qualifies to purchase equipment under the Ohio Department of Administrative Services Cooperative Purchasing Program; and

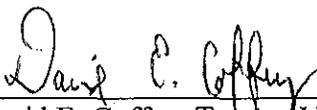
Whereas, a 2008 Ford F250 Supercab 4x4 can be purchased under the DAS Purchasing Program, contract #RS904308-1, Index #GDC 093E, Item #22A, at a cost of \$24,003.64; and

Whereas, the Public Works Director is recommending the purchase of a 2008 Ford F250 Supercab 4x4, for use in the Parks Department, from Advantage Ford; and

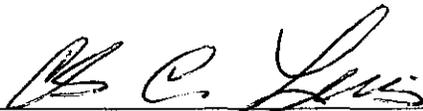
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the purchase of a 2008 Ford F250, under the state bid program, from Advantage Ford, 885 Hagerty Drive, P.O. Box 1167, Fremont, OH, 43420, for an amount not to exceed \$24,003.64.



Deborah M. Preston, Trustee President

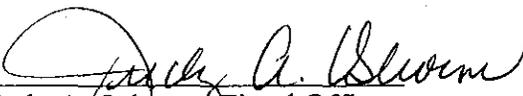


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



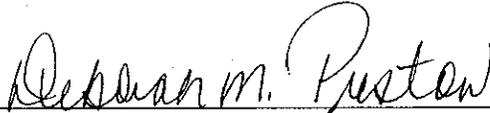
Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

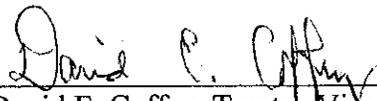
RESOLUTION #31-2008

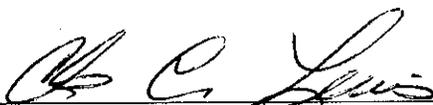
**RESOLUTION TO ACCEPT THE DONATION OF PROPERTY
TO THE DIVISION OF FIRE/EMS**

- Whereas,** the Kettering Medical Center, and the Miami Township Fire/Rescue Association, have approached the Division with the intent to donate two (2) EMS bicycles; and
- Whereas,** representatives from the Kettering Medical Center and the Miami Township Fire/Rescue Association have been working with Division staff to determine the exact needs of the Division of Fire/EMS; and
- Whereas,** Chief David B. Fulmer has identified a need for the EMS bicycles to be used during community events and special incidents, and is recommending the acceptance of the donation; and

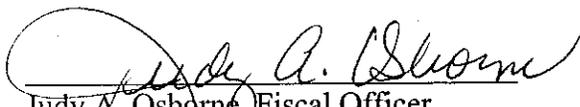
Therefore Be It Resolved, the Miami Township Board of Trustees approves the donation of the two (2) EMS bicycles from the Kettering Medical Center, and the Miami Township Fire/Rescue Association for the Division of Fire/EMS, and placement of the EMS bicycles to the Division's annual inventory.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: February 26, 2008
GAH:ams

RESOLUTION #32-2008

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

Whereas, A. David Schmaltz has successfully served three (3) years as Deputy Chief for the Miami Township Division of Fire/EMS; and

Whereas, a performance evaluation has been conducted by the Fire Chief, 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 Fire Chief; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for A. David Schmaltz, Pay Grade D, to an annual rate of pay of \$71,308.81, effective February 28, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: March 11, 2008

GAH:ams

RESOLUTION #33-2008

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

Whereas, Chris Snyder has successfully served two (2) years as Assistant Planning Director for the Planning & Zoning Department; and

Whereas, a performance evaluation has been conducted by the Assistant Township Administrator, 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 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 \$71,600.98, effective March 19, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: March 11, 2008

GAH:ams

RESOLUTION #34-2008

**RESOLUTION TO REPLACE A CITIZEN REPRESENTATIVE
TO THE JOINT FIRE/EMERGENCY MEDICAL SERVICES STUDY**

Whereas, the Miami Township Board of Trustees , through Resolution #145-2006, appointed members to a Joint Fire/Emergency Medical Services Steering Committee to represent Miami Township; and

Whereas, there exists a need to replace one of the citizen representatives to the committee; and

Whereas, the Township Administrator, Gregory A. Hanahan, and Fire Chief, David B. Fulmer, are recommending the following changes of appointment on the Joint Fire/Emergency Medical Services Steering Committee; and

- Remove Dave Noah, as a primary Citizen Representative; and
- Appoint Mark Langdon, as a primary Citizen Representative; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the above recommendations for representation of Miami Township in the Joint Fire/Emergency Medical Services Steering Committee, effective immediately.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: March 11, 2008

GAH:ams

RESOLUTION #35-2008

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
RECORD CLERK I**

Whereas, Karen Moseley will complete three (3) years of service for the Police Department on March 16, 2008; and

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

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

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Record Clerk I, Karen Moseley, to \$15.01 per hour, effective March 17, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed March 11, 2008

GAH:ams

RESOLUTION #36-2008

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
VEHICLE MAINTENANCE MECHANIC**

Whereas, John Schweickart has successfully completed a one (1) year probationary period in the Public Works Department in the position of Vehicle Maintenance Mechanic; and

Whereas, a performance evaluation has been conducted, and the Public Works Director is recommending an increase in pay to Step 2, Pay Grade 4; and

Therefore **Be It Resolved**, the Miami Township Board of Trustees approves John Schweickart's pay increase to Step 2, Pay Grade 4, at an hourly rate of \$17.43, effective March 12, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed March 11, 2008

GAH:ams

RESOLUTION #37-2008

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
ROAD FOREMAN**

Whereas, Wesley Wade has successfully completed one (1) year in the Public Works Department in the position of Road Foreman; and

Whereas, a performance evaluation has been conducted, and the Public Works Director is recommending an increase in pay to Step 4, Pay Grade 2; and

Therefore **Be It Resolved**, the Miami Township Board of Trustees approves Wesley Wade's pay increase to Step 4, Pay Grade 2, at an hourly rate of \$20.82, effective March 18, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: March 11, 2008

GAH:ams

RESOLUTION #38-2008

RESOLUTION TO AWARD A CONTRACT FOR A 2008, SINGLE-AXLE TRUCK CAB AND CHASSIS FOR THE ROAD DEPARTMENT

Whereas, Miami Township qualifies to purchase items under the Ohio Department of Transportation Cooperative Purchasing Program; and

Whereas, a 2008, International Single-Axle Cab & Chassis can be purchased, under the ODOT Purchasing Program, invitation #023-06, at a cost of \$67,003.00; and

Whereas, the Public Works Director is recommending the purchase of a 2008, International Single-Axle Truck Cab and Chassis, for use in the Road Department, from International Truck & Engine Corporation; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the purchase of a 2008, Single-Axle Truck Cab and Chassis, from International Truck & Engine Corporation, 773 Windmill Drive, Suite C, Pickerington, Ohio, 43147, for an amount not to exceed \$67,003.00.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer
Passed: March 11, 2008
GAH:ams

RESOLUTION #39-2008

**RESOLUTION TO AWARD A CONTRACT TO FULLY EQUIP A
SINGLE-AXLE TRUCK FOR THE ROAD DEPARTMENT**

Whereas, the Miami Township Road Department is in need of equipment to complete a single-axle truck cab and chassis necessary for maintenance operations; and

Whereas, Miami Township qualifies to purchase equipment under the Ohio Department of Administrative Services Cooperative Purchasing Program; and

Whereas, the equipment package can be purchased under the DAS Purchasing Program, contract #778515Q, Index #STS 515, at a cost of \$57,492.38; and

Whereas, the Public Works Director is recommending the purchase of a truck bed, plow frame and snow plow, salt pre-wetting system, tailgate spreader, and hydraulic system, for use in the Road Department, from Gledhill Road Machinery Co.; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the purchases of equipment from Gledhill Road Machinery Co., 765 Portland Way South, P.O. Box 567, Galion, OH, 44833, for an amount not to exceed \$57,492.38.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: March 11, 2008

GAH:ams

RESOLUTION #40-2008

**RESOLUTION TO ACCEPT STREETS IN CRAINS RUN,
SECTION 14, FOR TOWNSHIP MAINTENANCE**

Whereas, two (2) streets in Crains Run, Section 14, have received final inspection by Montgomery County and Miami Township; and

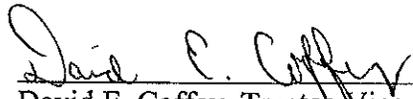
Whereas, the Public Works Director has given his approval; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the following streets in Crains Run, Section 14, for Township maintenance, and post a speed limit of 25 MPH:

1. Turtledove Way 487 L.F.
2. Sagewood Drive 1,181 L.F.



Deborah M. Preston, Trustee President

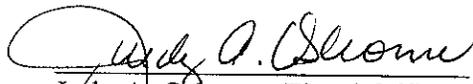


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:

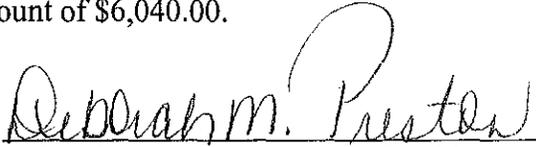


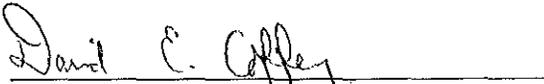
Judy A. Osborne, Fiscal Officer
Passed: March 25, 2008
GAH:ams

RESOLUTION #41-2008

**RESOLUTION TO TRADE-IN SPECIFIC ROAD DEPARTMENT
EQUIPMENT AND REMOVE FROM INVENTORY**

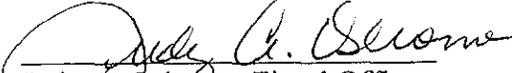
- Whereas,** the Ohio Revised Code, Section 505.10, establishes procedures by which the Township can sell, trade-in or dispose of Township-owned articles; and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code; and
- Whereas,** the Miami Township Road Department has a 1985 Bomford Brush Cutter B468R, serial numbers 2383U(Base) & 2419U(Head), that is no longer needed; and
- Whereas,** RL Parsons & Son ECI, 7155 State Route 142 SE, West Jefferson, OH, 43162-0028 has offered a trade-in, in the amount of \$6,040.00, applied toward the purchase of a new Bomford Brush Cutter unit, under State Term Schedule #778515K; and
- Therefore Be It Resolved,** in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the Bomford Brush Cutter B468R surplus property to be removed from inventory, and traded-in to be used as a trade-in to Parsons & Son ECI in the amount of \$6,040.00.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: March 25, 2008
GAH:ams

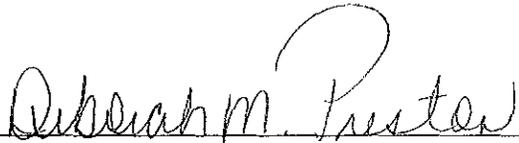
RESOLUTION #42-2008

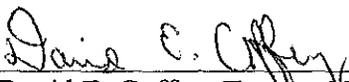
**RESOLUTION TO ACCEPT THE RESIGNATION OF A
POLICE OFFICER**

Whereas, Officer Jason Carlton has been an employee of the Miami Township Police Department since November 7, 2005; and

Whereas, Officer Jason Carlton submitted his resignation letter to terminate his employment with Miami Township on March 10, 2008; and

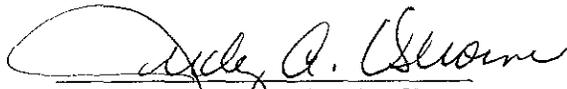
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Officer Jason Carlton, to be effective on March 10, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: March 25, 2008
GAH:ams

RESOLUTION #43-2008

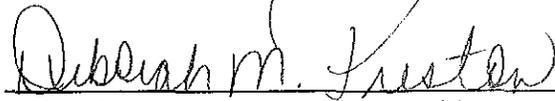
**RESOLUTION TO APPROVE A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR ZONING CASE #183-86,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, March 25, 2008; and

Whereas, Zoning Case #183-86, filed by Lyons Business Park Dayton, LLC, proposes a major modification to the final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification, to the final development plan for Zoning Case #183-86, and SUPPORTS the Zoning Commission recommendation for Zoning Case #183-86.



Deborah M. Preston, Trustee President

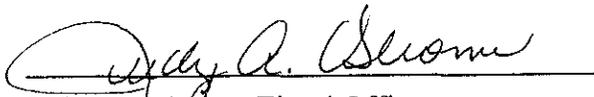


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: March 25, 2008

GAH:ams

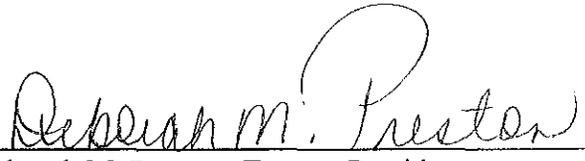
RESOLUTION #44-2008

RESOLUTION TO TERMINATE TAX ABATEMENT WITHIN THE ENTERPRISE ZONE FOR MIAMI PARTNERS, LTD., LYONS BUSINESS PARK, BUILDING V

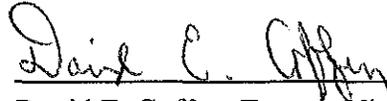
- Whereas,** Miami Township and Montgomery County have encouraged the development of real property and the acquisition of personal property, located in the area designated as an Enterprise Zone; and
- Whereas,** Miami Partners, Ltd. established a new 67,200 square foot facility to create employment opportunities, 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 Partners, Ltd., Lyons Business Park, sold the Building V facility on January 29, 2007, to Lyons Business Park Dayton LLC, and failed to reapply for the final year of the Enterprise Zone; and
- Whereas,** staff has repeatedly attempted to obtain the appropriate data from Lyons Business Park Dayton LLC and has limited to no communication; and
- Whereas,** staff has contacted the Ohio Department of Development and was given the advice to terminate the agreement; and
- Whereas,** the Miami Township Tax Incentive Review Council met on March 20, 2008, and the Council is recommending termination of the Miami Partners, Ltd., Lyons Business Park, Building V Enterprise Zone Agreement; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby terminates the Ohio Enterprise Zone Agreement, approved by Resolution #71-2001, with all the terms and conditions as stated therein with Montgomery County and Miami Partners, Ltd., Lyons Business Park, Building V.

SIGNATURE PAGE FOR RESOLUTION #44-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: March 25, 2008

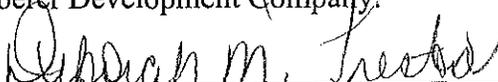
GAH:sld

RESOLUTION #45-2008

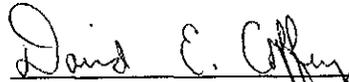
RESOLUTION TO SUPPORT THE CONTINUATION OF TAX ABATEMENT WITHIN THE ENTERPRISE ZONE FOR OBERER DEVELOPMENT COMPANY, 9080 SPRINGBORO PIKE

- 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 20, 2008, and determined that Oberer Development Company has exceeded its promised investment in the community, and Council recommends continuation of Oberer's tax abatement; and

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



Deborah M. Preston, Trustee President

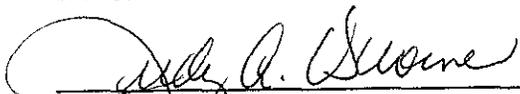


David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: March 25, 2008

GAH:sld

RESOLUTION #46-2008

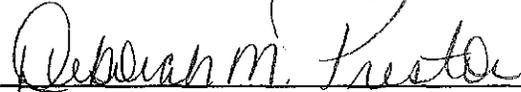
**RESOLUTION TO APPOINT TAX INCENTIVE
NEGOTIATION TEAM MEMBERS**

Whereas, the Ohio Department of Development has approved Miami Township's application for a non-distressed Enterprise Zone; and

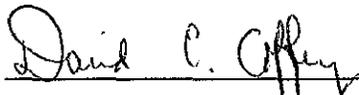
Whereas, it is necessary to appoint a Negotiation Team to negotiate all Enterprise Zone agreements; and

Whereas, Miami Township is to appoint one (1) member of the Negotiation Team to serve with the existing Miami Township Enterprise Zone Manager on the Negotiation Team; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Township Administrator, Gregory A. Hanahan; and Enterprise Zone Manager, Greg Rogers; as representatives on the Tax Incentive Negotiation Team.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: March 25, 2008

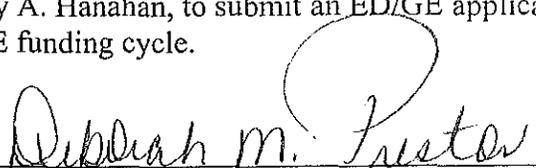
GAH:ams

RESOLUTION #47-2008

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

- Whereas,** the Miami Township Board of Trustees has determined a need exists to assist Crown Partners, LLC., with building renovations and improvements, in order to retain them in Montgomery County; and
- Whereas,** Crown Partners, LLC. will retain thirty (30) jobs with a payroll of \$2.25 million, therefore contributing to Miami Township and Montgomery County's economy; and
- Whereas,** matching private funds will be provided from Crown Partners, LLC; and
- Whereas,** additional funds are needed to help offset the additional costs associated with a move from one location to a new location; 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 Township Administrator, Gregory A. Hanahan, to submit an ED/GE application for the spring 2008 ED/GE funding cycle.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: March 25, 2008
GAH:ams

RESOLUTION #48-2008

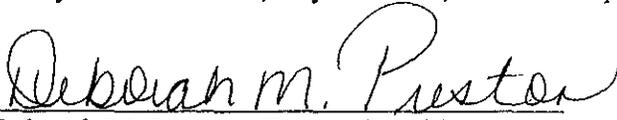
**RESOLUTION TO AUTHORIZE THE HIRING OF A FULL TIME
DIVISION OF FIRE/EMS ADMINISTRATIVE ASSISTANT I**

Whereas, there is a need for a full time Administrative Assistant I within the Division of Fire/EMS; and

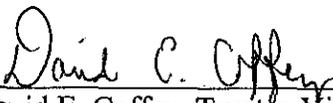
Whereas, Fire Chief David B. Fulmer is making his recommendation; and

Whereas, a conditional offer has been made to and accepted by Rebekah Biggs; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Rebekah Biggs, at an hourly rate of \$13.40, Pay Grade 7, effective April 14, 2008.



Deborah M. Preston, Trustee President

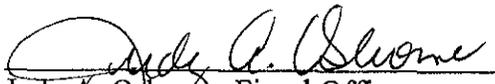


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: April 8, 2008
GAH:ams

RESOLUTION #49-2008

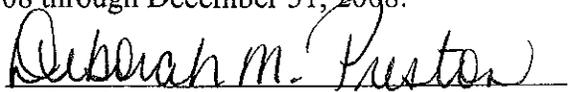
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE AN
AGREEMENT WITH MONTGOMERY COUNTY RECORDS
COMMISSION AND MICROFILMING BOARD**

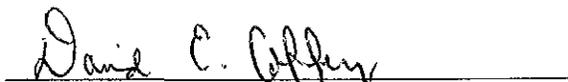
Whereas, Miami Township is desirous of retaining the services of Montgomery County Records Commission & Microfilming Board for microfilming certain documents and storage of certain microfilms; and

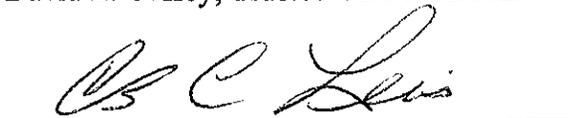
Whereas, Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and

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

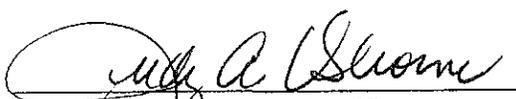
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Montgomery County Records Commission & Microfilming Board, in the amount of \$2,500, from January 1, 2008 through December 31, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: April 8, 2008
GAH:ams

RESOLUTION #50-2008

RESOLUTION TO ESTABLISH A VIDEO SERVICE PROVIDER FEE, TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE TOWNSHIP, AND TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE

- WHEREAS,** the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide “uniform regulatory framework” for the provision of cable television and/or other video service (the “Video Law”); and
- WHEREAS,** Miami Township has a cable television franchise agreement with Time Warner Cable of Southwest Ohio (“Franchisee”), which has expired by its own terms, and pursuant to which Franchisee is paying franchise fees in the amount of 3 percent (3%) of the revenue basis it receives from cable subscribers in the ; and
- WHEREAS,** the fees collected from cable subscribers become general fund revenue and may be used for providing services to Miami Township residents; and
- WHEREAS,** Miami Township desires to continue the initiative to develop Web Cast technology for providing public access to via the Web for various Township meetings, and fees collected from cable subscribers would be utilized to provide Web cast services; and
- WHEREAS,** under the Video Law a video service provider that is providing video service to subscribers in the Township pursuant to a state-issued video service authorization must pay the Township a video service provider fee (“VSP Fee”), based on a percentage of the provider’s gross revenues received from providing video service in the Township, not to exceed five percent (5%) of such gross revenues; and
- WHEREAS,** the Video Law requires that the percentage of gross revenues, on which VSP Fees are paid, must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the Township (the “VSP Fee Percentage”) or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee percentage shall be zero percent (0%) of gross revenues unless the Township determines by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and
- WHEREAS,** the Video Law further requires the Township to provide a video service provider with written notice of the VSP Fee Percentage within ten (10) days of receiving notice from the video service provider, pursuant to R.C. 1332.27(A), that it will begin offering service in the Township; and
- WHEREAS,** the Video Law provides that advertising revenues will not be included in the gross

revenues base upon which the VSP Fee Percentage is applied unless the Township specifically enacts a Resolution uniformly applicable to all video service providers requiring that advertising revenues also be included in the gross revenues base; and

WHEREAS, the Video Law requires the Township to promptly notify affected video service providers of the Resolution that requires the inclusion of advertising revenues in the gross revenues base and that requirement will not take effect until the first day of the first calendar quarter that begins more than thirty (30) days after giving such notice of the Resolution; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee Percentage and of the inclusion of advertising revenues in the VSP Fee gross revenues base, it is necessary for this Board (i) to establish the VSP Fee Percentage; (ii) to include advertising revenues in the VSP Fee gross revenues base, and (iii) to authorize the Township Administrator to provide the appropriate notice of the VSP Fee Percentage and the inclusion of advertising revenues in gross revenues to a video service provider within ten (10) days of the Township receiving notice that a video service provider will begin providing service in the Township.

THEREFORE BE IT RESOLVED, by the Miami Township Board of Trustees:

Section 1. That Miami Township hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of FIVE percent (5%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. For purposes of calculating the VSP Fee, the provider's gross revenues shall include advertising revenues in accordance with Section 1332.23(B)(2)(g) of the Video Law. The VSP Fee Percentage and Video Law gross revenues definition, as modified in this Resolution, shall apply equally to all video service providers and cable television operators providing video service in the Township.

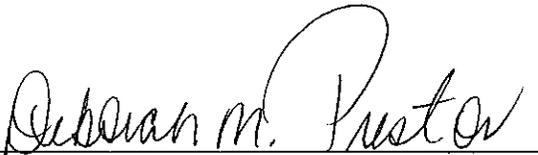
Section 2. That the VSP Fee shall be paid by each video service provider providing service in the Township on a quarterly basis but not sooner than forty-five (45) days nor later than sixty (60) days after the end of each calendar quarter. R.C. §1332.32(A).

Section 3. That the Township Administrator is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage and gross revenues definition, as determined by this Council above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the Township pursuant to a state-issued video service authorization.

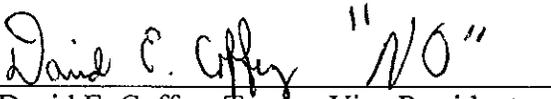
Section 4. That it is found and determined that all formal actions of the Miami Township Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of the Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to the Board of Trustees and approval of the Township Administrator, otherwise from and after the earliest period allowed by law.

SIGNATURE PAGE FOR RESOLUTION #50-2008 ONLY



Deborah M. Preston, Trustee President

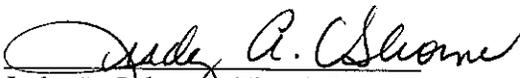


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: April 8, 2008
GAH:ams

RESOLUTION #51-2008

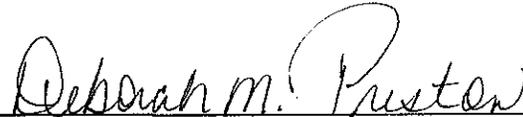
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR ZONING CASE #374-05, PHASE
1C, FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, April 22, 2008; and

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

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

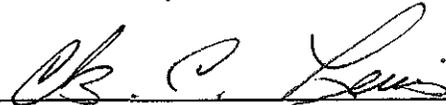
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan for Phase 1C, under Zoning Case #374-05, and UPHOLDS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: April 22, 2008

GAH:ams

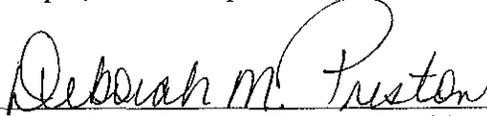
RESOLUTION #52-2008

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
ROAD WORKER**

Whereas, Junior Cope has successfully served one (1) year as a Road Worker for the Public Works Department; and

Whereas, a performance evaluation has been completed by the Street Supervisor, and an evaluation and recommendation has been completed; and

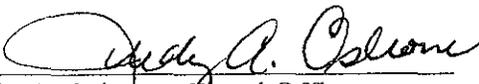
Therefore **Be It Resolved**, the Miami Township Board of Trustees authorizes a pay increase for Junior Cope, Pay Grade 5, Step 3, to \$16.49 per hour, effective April 30, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: April 22, 2008
GAH:ams

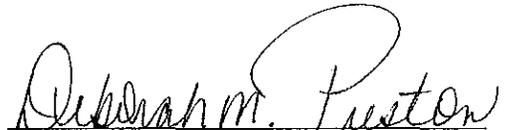
RESOLUTION #53-2008

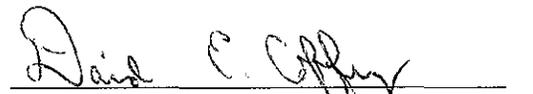
**RESOLUTION TO APPROVE A PAY INCREASE FOR A
ROAD WORKER**

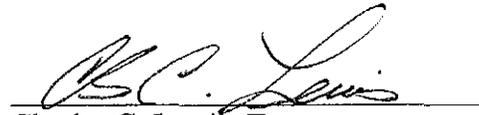
Whereas, John Stewart has successfully served one (1) year as a Road Worker for the Public Works Department; and

Whereas, a performance evaluation has been completed by the Street Supervisor, 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 3, to \$16.49 per hour, effective May 14, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: April 22, 2008
GAH:ams

RESOLUTION #54-2008

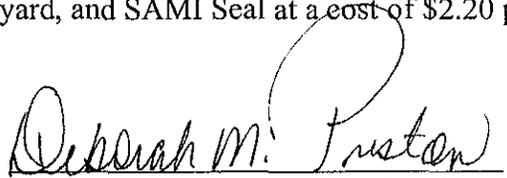
**RESOLUTION TO AWARD A BID FOR THE
2008 PAVEMENT MAINTENANCE PROGRAM**

Whereas, there is a need for a Pavement Maintenance Program for 2008 road repairs; and

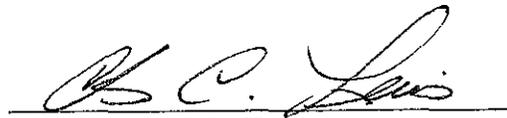
Whereas, the request for bids, through the proper media sources, has been made according to O.R.C. 5575.01; and

Whereas, two (2) 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 Terry Asphalt Materials, Inc., 8600 Berk Boulevard, Hamilton, Ohio, for Slurry Seal Type II, at a cost of \$1.49 per square yard, and SAMI Seal at a cost of \$2.20 per square yard, effective April 22, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:

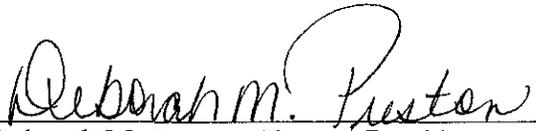

Judy A. Osborne, Fiscal Officer
Passed: April 22, 2008
GAH:ams

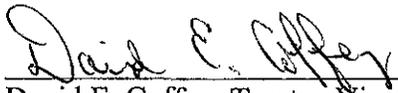
RESOLUTION #55-2008

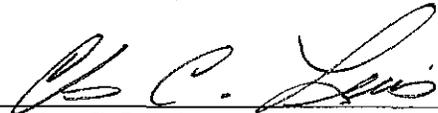
RESOLUTION TO ESTABLISH A PARKING REGULATION THAT PROHIBITS PARKING OF VEHICLES IN PROHIBITED AREAS ON HUNT DRIVE AND FERNDOWN DRIVE

- Whereas, Section 505.17 (A) of the Ohio Revised Code provides the Trustees of a Township the power to regulate parking on established roadways; and
- Whereas, Section 4521 of the Ohio Revised Code provides for the Trustees of a Township to establish a Parking Bureau; and
- Whereas, the Board of Trustees met all legal requirements and established a Parking Bureau by Resolutions #71-99, #72-99, #73-99, #74-99, on June 16, 1999; and
- Whereas, the Police Chief, Fire Chief, Public Works Director, Zoning Director and Township Administrator has each recommended the need for "prohibited parking areas" on Hunt Drive and Ferndown Drive, in order to construct a bike route plan submitted by the Montgomery County Engineer's Office; and
- Whereas, the recommended "restricted parking areas" are defined as "both sides of the street from the centerline of Newmark Drive and Hunt Drive south to the centerline of Spring Valley Pike and Hunt Drive," and "both sides of the street from the centerline of State Route 741 and Ferndown Drive east to a point approximately 1,125 feet east of the centerline of Hunt Drive and Ferndown Drive" and such signage and markings are shown on Exhibit A "Signing & Striping Installation" prepared by the Montgomery County Engineer's Office; and
- Whereas, Miami Township will meet the requirements of the Ohio Revised Code by posting this resolution in five (5) public places for thirty (30) days prior to taking any enforcement action on this new parking prohibition; and will, additionally, notify all the businesses and residences on Hunt Drive and Ferndown Drive of the new parking prohibition thirty (30) days prior to taking enforcement action; and
- Therefore Be It Resolved**, the Miami Township Board of Trustees prohibits parking in the "restricted parking areas," as described above, and orders that enforcement of this parking prohibition begin on Friday, June 13, 2008; and
- Be It Further Resolved**, any persons parking in the areas restricted by this resolution are punishable by a fine and/or impoundment of the vehicle, as provided for under Ohio Revised Code Sections 4521.02 and 4521.03, to be effective June 13, 2008.

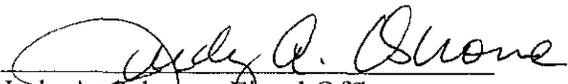
SIGNATURE PAGE FOR RESOLUTION #55-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: April 22, 2008
GAH:ams

RESOLUTION #56-2008

RESOLUTION TO AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT DEVELOPMENT AGREEMENT BETWEEN MIAMI TOWNSHIP, THE DAYTON-MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, AND THE CITY OF MIAMISBURG, IN CONNECTION WITH THE DEVELOPMENT AND JOINT FINANCING OF TRANSPORTATION PROJECTS WITHIN THE CITY OF MIAMISBURG AND MIAMI TOWNSHIP

WHEREAS, Miami Township, Ohio (the "Township"), the City of Miamisburg, Ohio (the "City") and the Montgomery County Transportation Improvement District (the "District") jointly desire to develop certain areas within the Township and within the City, all to encourage public and private development in the Township and within the City, and to enhance the viability of development within the Township and the City generally; and

WHEREAS, in order to facilitate such development within the territory of the District and the City or the Township, the Township and the City desire, among other things, to provide for the construction, development and joint financing of streets, highways, interchanges, and transportation projects ("Projects"), within the meaning of 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 ("Section 555.10") passed by the 127th General Assembly of the State of Ohio and signed into law by the Governor of the State of Ohio on November 30, 2007; and

WHEREAS, as authorized under Section 555.10, the Montgomery County Transportation Improvement District (the "District"), the Township and the City now desire to enter into a Project Development Agreement (the "Project Development Agreement") relating to the Projects wherein the District has agreed to undertake the Projects under the conditions set forth in the Project Development Agreement; and

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

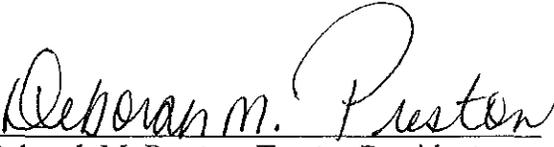
Section 1. Determinations of the Board. The Board of Trustees of the Township, having theretofore reviewed the form of the Project Development Agreement, now determines that it is a proper public purpose and in the best interests of the Township to enter into the Project Development Agreement. This Board further determines that the Project Development Agreement when executed (together with any amendments and supplements hereto) shall be executed pursuant to Section 555.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended by Am. Sub. S.B. 36 of the 127th General Assembly, to provide for the joint financing of any street, highway, interchange, or other transportation improvement project and such related undertakings as may be determined by the Township and the other parties thereto.

Section 2. Authorization for Execution and Delivery of the Project 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, to execute and deliver for and on behalf of the Township the Project 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 Project 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 Project Development Agreement.

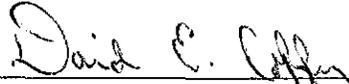
Section 3. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees 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.

SIGNATURE PAGE FOR RESOLUTION #56-2008 ONLY



Deborah M. Preston, Trustee President

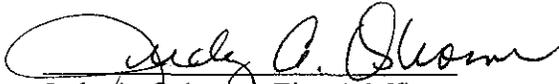


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: April 22, 2008

GAH:ams

L

RESOLUTION #57-2008

RESOLUTION TO NEGOTIATE A MEMORANDUM OF UNDERSTANDING (MOU) FOR THE MIAMI TOWNSHIP-DAYTON MALL CORRIDOR JOINT ECONOMIC DEVELOPMENT DISTRICT

- Whereas,** the Miami Township Board of Trustees desires to establish a Joint Economic Development District (JEDD) for the Dayton Mall Corridor; and
- Whereas,** the Township and the City of Miamisburg (City) have entered into discussions over the possible terms of an agreement establishing the JEDD and as a result of those discussions, the Township and the City of Miamisburg have determined that there is a basis for believing that there is the potential for a mutually beneficial agreement regarding the Miami Township-Dayton Mall Corridor JEDD; and
- Whereas,** in order to establish the terms of the JEDD agreement, this Board has determined that a Memorandum of Understanding (MOU) should to be negotiated by the Township and the City to formally declare the intent to create the JEDD and to set forth the material terms to be contained in a definitive JEDD Agreement between the City and the Township; and
- Whereas** the MOU and the definitive JEDD Agreement will be subject to the approval of this Board and the City;

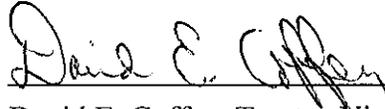
Now Therefore Be It Resolved by this Board of Trustees, that the Township Administrator, Gregory A. Hanahan, is authorized and directed to negotiate on behalf of the Township the MOU, and to take such steps as may be reasonably necessary to negotiate such MOU and to set forth the terms of a mutually beneficial JEDD Agreement between the Township and the City, provided that such MOU and JEDD Agreement shall be subject to the approval of this Board.

Be it Further Resolved that 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 and that this Resolution shall take effect immediately upon its adoption.

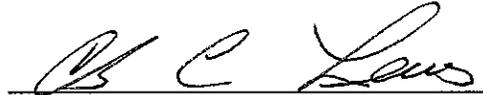
SIGNATURE PAGE #57-2008



Deborah M. Preston, Trustee President

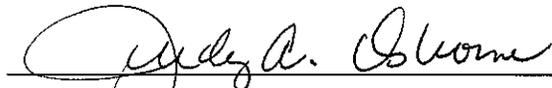


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: April 22, 2008

GAH:ams

RESOLUTION #58-2008

RESOLUTION TO CHANGE A ZONING TEXT

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, May 13, 2008; and

Whereas, Zoning Case #397-08, filed by the Miami Township Board of Trustees, proposes amendments to Article 2 Definitions and Article 41 Sign Regulations, of the Miami Township Zoning Resolution; and

Whereas, the Zoning Commission has made a recommendation; and

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

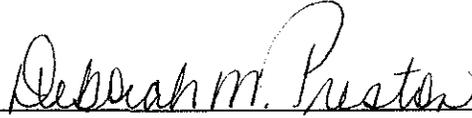
Whereas, the Trustees have made the following findings, based upon the purpose and intent, as stated in the proposed amendments, the report of existing sign conditions as presented by staff, and the advisement of legal counsel, that:

1. Miami Township originally enacted sign regulations as part of the enactment of the Zoning Resolution, effective November 20, 1972; and
2. Miami Township has not been a defendant in litigation concerning the sign regulations since their enactment; and
3. These regulations will further Miami Township's desire to have sign regulations that will fulfill the purpose and intent stated in these regulations, and abide by Constitutional guarantees concerning free speech and freedom of expression; and
4. Miami Township has retained the firm of Surdyk, Dowd, and Turner Co., L.P.A., to oversee the development of these sign regulations and said firm has expert experience in developing sign regulations based upon protecting Constitutional guarantees of free speech and freedom of expression; and
5. A growing number of non-commercial and commercial freestanding monument signs are abiding by the terms of these regulations, and provisions seeking the removal and replacement of non-conforming signs with conforming signs have been enforced since the original enactment of these regulations. Miami Township has a declining number of non-conforming roof signs, pylon signs, and wall signs; and

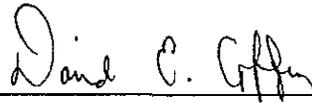
6. Greater flexibility is needed in the provision of wall signs and other types of signage within the various non-commercial and commercial areas of the Township; and
7. There is a continued need to have a consistent system of sign standards to ensure the continued safety and attractiveness of non-commercial and commercial areas, and to provide a fair and consistent method of sign allowances in order to protect property values, and protect the general public welfare; and
8. Establishing specific setback and height standards will promote public safety and general welfare by allowing for future right-of-way and roadway expansions, and restricting signage that will block site visibility for those entering or leaving a property; and
9. Establishing height and area standards will promote uniform sign design, reduce the instances of larger signs visually blocking signs or buildings on adjacent properties, reduce the visual clutter of multiple pylon signs at varying heights and sizes, and permit certain larger signs to accommodate multiple tenants on a single sign in order to consolidate signage; and
10. There is a continued need for standards for the area of signage on buildings in order to provide signage to users in a proportional and consistent manner based upon the size of the wall upon which such signs are to be placed; and
11. Establishing certain landscaping and architectural standards will promote a uniform appearance for the majority of free-standing signage to be utilized; and
12. There is a need for a variety of structural and functional signs to provide information to persons on or off a property; and
13. There is a need to maintain appropriate standards for placing address information on buildings in order to protect the public health and safety; and
14. It is in the interest of public health, safety, and general welfare to provide a process for review of sign packages for large commercial shopping centers due to the number of private drives, unique pedestrian and traffic patterns, and unique building configurations found in such large complexes; and

SIGNATURE PAGE FOR RESOLUTION #58-2008 ONLY

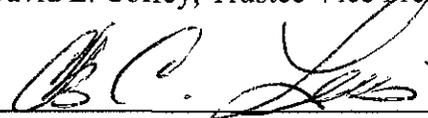
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVES Zoning Case #397-08, and UPHOLDS the Zoning Commission recommendation for Zoning Case #397-08.



Deborah M. Preston, Trustee President

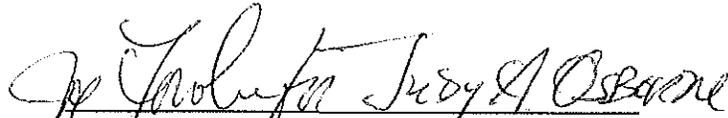


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 13, 2008
GAH:ams

RESOLUTION #59-2008

RESOLUTION TO CHANGE A ZONING TEXT

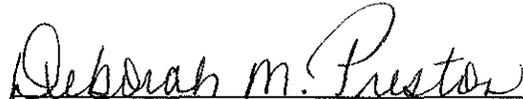
Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, May 13, 2008; and

Whereas, Zoning Case #399-08, filed by the Miami Township Board of Trustees, proposes amendments to Article 4 Board of Zoning Appeals, of the Miami Township Zoning Resolution; and

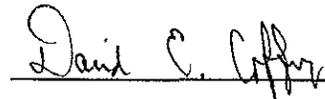
Whereas, the Zoning Commission has made a recommendation; and

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

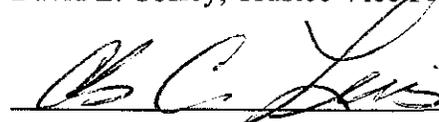
Therefore Be It Resolved, the Miami Township Board of Trustees approves Zoning Case #399-08, and upholds the Zoning Commission recommendation for Zoning Case #399-08.



Deborah M. Preston, Trustee President

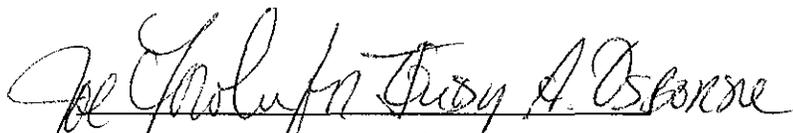


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 13, 2008
GAH:ams

RESOLUTION #60-2008

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 6148 Carnation Rd., Dayton, 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 13, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 13, 2008, 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:

6148 Carnation Road

Parcel ID #K47-23115-0026
Hiram J. Sams
635 Robbins Street
Hope, IN 47246

Robyn Sams
635 Robbins Street
Hope, IN 47246

Hiram J. Sams
6148 Carnation Rd
Dayton, OH 45449

Mortgage Company

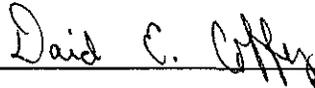
Nationstar Mortgage LLC
350 Highland Drive
Lewisville, TX 75067

SIGNATURE PAGE FOR RESOLUTION #60-2008 ONLY

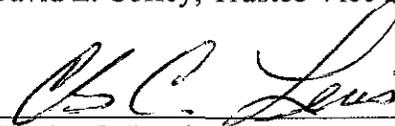
Robyn Sams
6148 Carnation Rd
Dayton, OH 45449



Deborah M. Preston, Trustee President

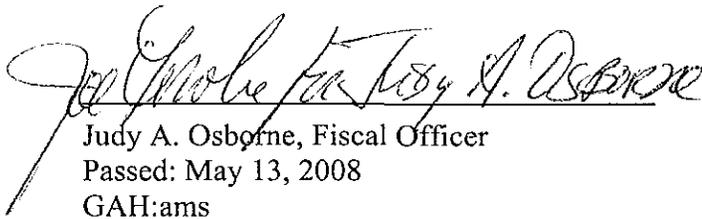


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 13, 2008
GAH:ams

RESOLUTION #61-2008

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 June 10, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 10, 2008, 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,

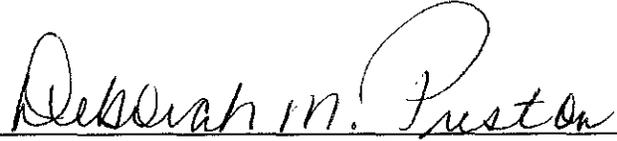
Series 2007-BR3, c/o

701 Corporate Center Drive

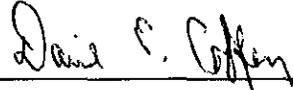
Mailcode NC4743

Raleigh, NC 27607

SIGNATURE PAGE FOR RESOLUTION #61-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 10, 2008

GAH:ams

RESOLUTION #62-2008

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 2355 Lehigh Place, Dayton, 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 13, 2008; and
- Whereas** the Miami Township Board of Trustees conducted said public hearing on May 13, 2008, 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:

2355 Lehigh Place

Parcel ID #K47-18441-0041
Homer C. Sweeney
2355 Lehigh Place
Dayton, OH 45439

Carolyn Sweeney
2355 Lehigh Place
Dayton, OH 45439

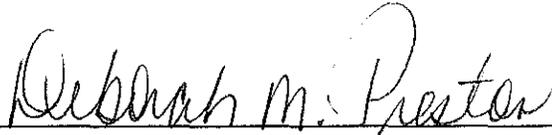
Homer C. Sweeney
6654 Desmond Street
Dayton, OH 45427

Mortgage Company

Beneficial Ohio Inc
961 Weigel Drive
Elmhurst, IL 60126

SIGNATURE PAGE FOR RESOLUTION #62-2008 ONLY

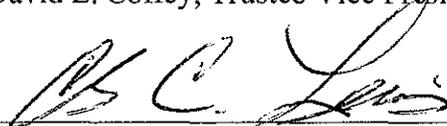
Carolyn Sweeney
6654 Desmond Street
Dayton, OH 45427



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 13, 2008
GAH:ams

RESOLUTION #63-2008

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 3430 Dahlia Drive, Dayton, 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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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:

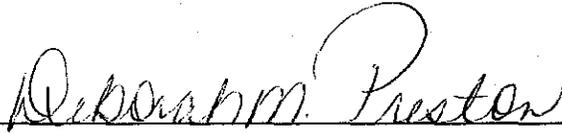
3430 Dahlia Dr.

Parcel ID #K47-212-18-15
Brenda Richmond
3430 Dahlia Drive
Dayton, Ohio 45449

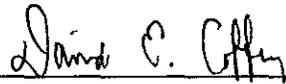
Mortgage Company

Residential Funding Company, LLC
fka Residential Funding Corporation
c/o Homecomings Financial Network, Inc
One Meridian Crossing, Suite 100
03-03-10
Richfield, MN 5543

SIGNATURE PAGE FOR RESOLUTION #63-2008 ONLY



Deborah M. Preston, Trustee President

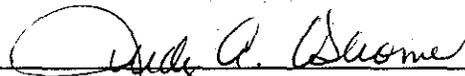


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #64-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP
ADMINISTRATOR TO ENTER INTO A CONTRACT WITH THE
GREATER DAYTON REGIONAL TRANSIT AUTHORITY**

Whereas, the Greater Dayton Regional Transit Authority (GDRTA), administers financial assistance for transit-related improvements, through the Community Grant Program; and

Whereas, Miami Township has received a grant award from the GDRTA to fund eighty percent (80%) of the eligible expenses related to streetlight, and other improvements, along Kingsridge and Lyons Ridge Drive, for a total budgeted cost of \$31,200.00; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby commits to a twenty percent (20%) match to the total budgeted cost, or actual cost when completed, whichever is less and further authorizes the Township Administrator to enter into a contract with the GDRTA, and to provide any further documentation necessary over the course of the project to effect disbursement of the awarded funds.



Deborah M. Preston, Trustee President

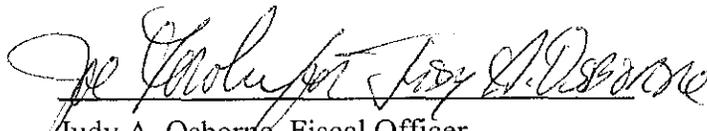


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

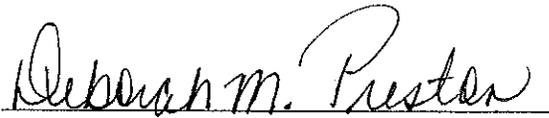
Passed: May 13, 2008

GAH:ams

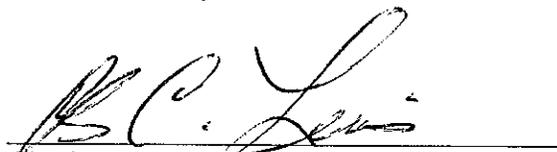
RESOLUTION #65-2008

RESOLUTION TO APPROVE PARTICIPATION IN THE MONTGOMERY COUNTY ENGINEER'S 404 ASPHALT AND ROAD STRIPING PROGRAM

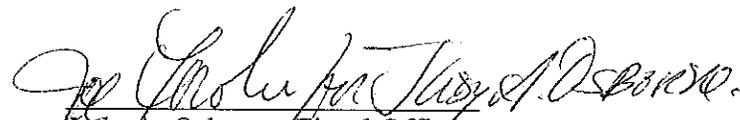
- Whereas,** Miami Township has requested that the Board of County Commissioners approve assistance, through the Partnership Pool Program, for improving and maintaining Township roads; and
- Whereas,** this year Miami Township will receive \$8,750.00 of aid from the Montgomery County Engineer's Office; and
- Whereas,** the Public Works Director has requested that Montgomery County's \$8,750.00 aid be spent on Miami Township's 2008 Asphalt and Road Striping Program, at an estimated cost of \$248,000.00; and
- Therefore Be It Resolved,** the \$8,750.00 in County aid is to be used, in part, to pay for the 2008 Asphalt and Road Striping Program, leaving an estimated \$239,250.00 to be paid by Miami Township.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: May 13, 2008
GAH:ams

RESOLUTION #66-2008

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 6072 Eighth 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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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:

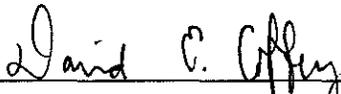
6072 Eighth Ave.
Parcel ID #K50-184-31-12
Gerline Misier Estate
6072 Eighth Ave.
Miamisburg, OH 45342

Mortgage Company
Wachovia Bank of Delaware, N.A.
fka First Union Home Equity Bank, N.A.
c/o Wachovia Mortgage Corporation
1100 Corporate Center Drive, Building A4
Raleigh, NC 27607

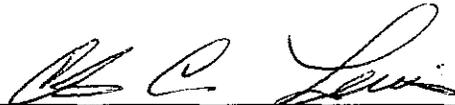
SIGNATURE PAGE FOR RESOLUTION #66-2008 ONLY



Deborah M. Preston, Trustee President

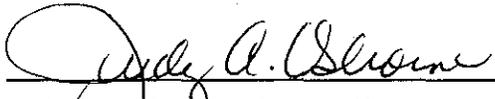


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH:ams

RESOLUTION #67-2008

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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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

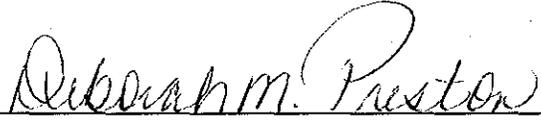
Countrywide Home Loans

7105 Corporate Drive

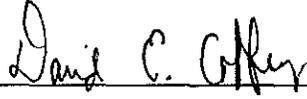
Plano, TX 75024

Mortgage Company

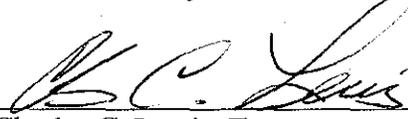
SIGNATURE PAGE FOR RESOLUTION #67-2008 ONLY



Deborah M. Preston, Trustee President

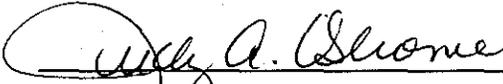


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #68-2008

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 6601 Manning 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 June 10, 2008; and
- Whereas** the Miami Township Board of Trustees conducted said public hearing on June 10, 2008, 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:

6601 Manning Rd.

Parcel ID #K45-184-12-9
Ronald M. Evans, Jr.
6601 Manning Road
Miamisburg, OH 45342

Sarah L. Evans
6601 Manning Road
Miamisburg, OH 45342

Mortgage Company

Secretary of Housing and Urban Development
c/o National Home Management Solutions
3 Advantage Court
Bordentown, NJ 08505

GMAC Mortgage LLC
500 Enterprise Road
Horsham, PA 19044-0969

RESOLUTION #69-2008

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 2327 Clarion Court, 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 June 24, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on June 24, 2008, 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

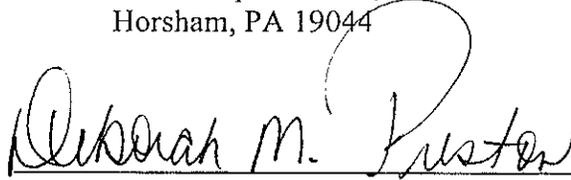
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of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

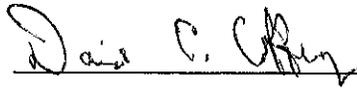
SIGNATURE PAGE FOR RESOLUTION #69-2008 ONLY

2327 Clarion Court
Parcel ID #K45-256-23-8
Lloyd M. Trader
2327 Clarion Court
Miamisburg, OH 45342

Mortgage Company
GMAC Mortgage L.L.C.
c/o GMAC Mortgage, LLC
500 Enterprise Road, Suite 150
Horsham, PA 19044



Deborah M. Preston, Trustee President

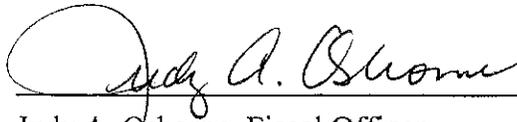


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: June 24, 2008
GAH:ams

RESOLUTION #70-2008

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 2148 Terrylynn Avenue, Dayton, 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 July 8, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 8, 2008, 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

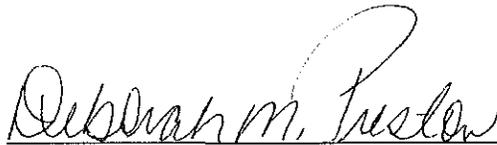
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within seven (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within seven (7) days of the date of the mailing of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

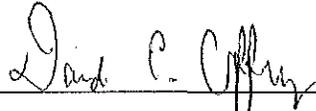
2148 Terrylynn Avenue
Parcel ID #K47-212-8-46
Ranzel Back
6401 Carnation Road
Dayton, OH 45449

Elizabeth A. Back
6401 Carnation Road
Dayton, OH 45449

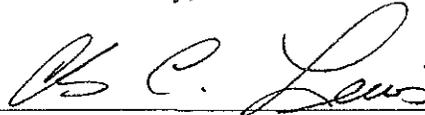
SIGNATURE PAGE FOR RESOLUTION #70-2008 ONLY



Deborah M. Preston, Trustee President

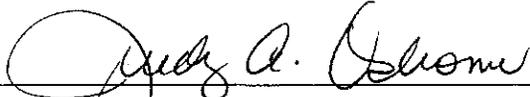


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 8, 2008

GAH:bph

RESOLUTION #71-2008

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 South 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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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

Anthony S. Fox

6566 South Union Rd.

Miamisburg, OH 45342

Ginger Fox

6566 South Union Rd

Miamisburg, OH 45342

Mortgage Company

LaSalle Bank National Association

as Trustee for Merrill Lynch Mortgage

Investors Trust 2006-FF1, Mortgage

Loan Asset-Backed Certificates, Series 2006-FF1

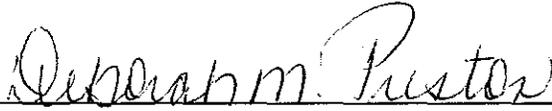
c/o Home Loan Services, Inc.

150 Allegheny Center Mall

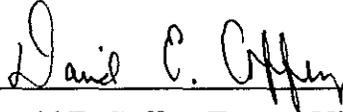
IDC 24-060

Pittsburgh, PA 15212 - 5356

SIGNATURE PAGE FOR RESOLUTION #71-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #72-2008

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 9821 Aylesworth Ln., 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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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

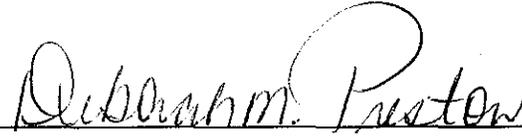
Be It Further Resolved, if such nuisance is not abated within seven (7) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

9821 Aylesworth Lane
Parcel ID #K45-258-4-19
Eric B. Paxton
9821 Aylesworth Ln
Miamisburg, OH 45342

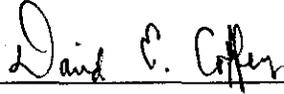
Mortgage Company
American General Financial Services Inc
127 Springboro Pike
Dayton, OH 45449

Shelly R. Paxton
9821 Aylesworth Ln
Miamisburg, OH 45342

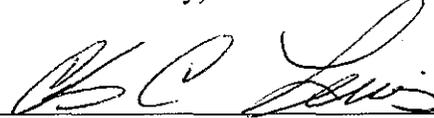
SIGNATURE PAGE FOR RESOLUTION #72-2008 ONLY



Deborah M. Preston, Trustee President

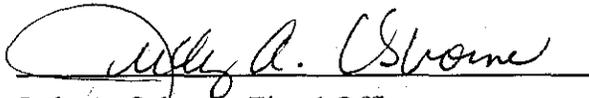


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #73-2008

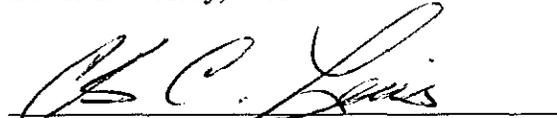
**RESOLUTION TO ACCEPT A LETTER OF INTENT TO
RETIRE FROM AN ADMINISTRATIVE ASSISTANT II**

- Whereas,** Annamarie L. Smith has been an Administrative Assistant II, to the Miami Township Administrator, since December 14, 2000; and
- Whereas,** Annamarie L. Smith, during her tenure, has served Miami Township responsibly and professionally; and
- Whereas,** Annamarie L. Smith, after nearly eight (8) years of dedicated service to the citizens of Miami Township, has submitted a letter of intent to retire from Miami Township; and
- Whereas,** Annamarie L. Smith's retirement has been accepted by OPERS, and the Miami Township Board of Trustees accepts Annamarie L. Smith's letter of intent to retire; and
- Whereas,** Annamarie L. Smith's last day worked will be at the end of the work day on Friday, June 20, 2008; 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 Annamarie L. Smith's retirement, are carried out in a timely manner.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: June 10, 2008
GAH:ams

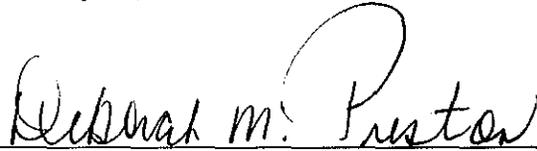
RESOLUTION #74-2008

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

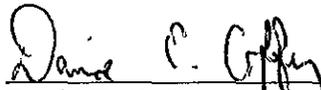
Whereas, Blaine Moore has successfully completed additional training for the Miami Township Division of Fire & EMS; and

Whereas, the Fire Chief is recommending an increase in pay to Step 4, Pay Grade PT10A; and

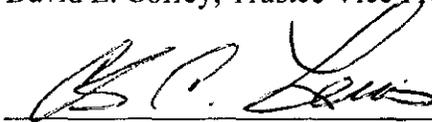
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Blaine Moore to Step 4, Pay Grade PT10A, at a rate of \$15.89 per hour, effective May 26, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 10, 2008

GAH:ams

RESOLUTION #75-2008

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 9049 Marquis 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 May 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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:

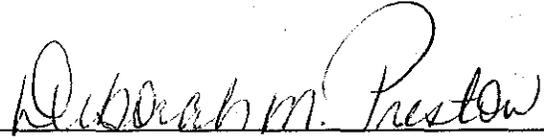
9049 Marquis Drive

Parcel ID #K45-212-23-2
Scott Durbin
212 Scarlet Oak Dr
Monroe, Ohio 45050

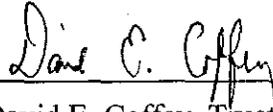
Mortgage Company

U.S. Bank National Association
as Trustee for the Structured
Asset Investment Loan
Trust 2005-HE2
c/o Wells Fargo Bank, N.A.
3476 Stateview Boulevard
Fort Mill, SC 29715 Mac#7801-013

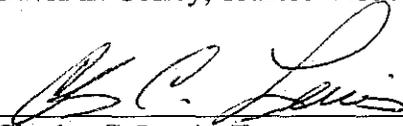
SIGNATURE PAGE FOR RESOLUTION #75-2008 ONLY



Deborah M. Preston, Trustee President

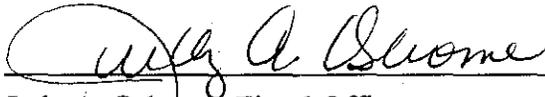


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #75-2008

**RESOLUTION TO AUTHORIZE THE HIRING OF TWO (2)
PART TIME FIREFIGHTER/EMT'S**

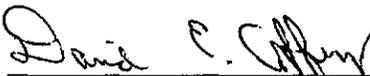
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

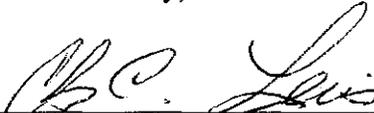
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individuals as part time personnel:

Andrew Fenskens	Grade S-1	\$11.61 / per hour
Bradley Herr, II	Grade S-1	\$11.61 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above two (2) individuals, with hiring dates to be respectively determined in the Division of Fire & EMS, effective June 10, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: June 10, 2008
GAH:ams

RESOLUTION #76-2008

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 7806 Washington Park Drive, Dayton, 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 27, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on May 27, 2008, 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:

7806 Washington Park Dr.

Parcel ID #K45-232-16-17
Gary L. Price
7806 Washington Park Dr.
Dayton, Ohio 45459

Karen A. Price
7806 Washington Park Dr.
Dayton, OH 45459

Mortgage Company

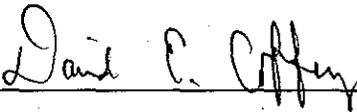
Secretary of Housing and Urban Development
15 East 7th Street
Cincinnati, OH 45202

Bank of New York as Trustee for
Certificateholders of CWMB 2004-R2
c/o Countrywide Home Loans, Inc.
P.O. Box 261319
Plano, TX 75026-1319

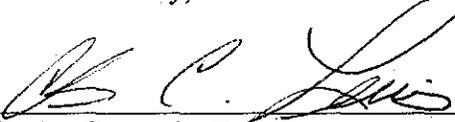
SIGNATURE PAGE FOR RESOLUTION #76-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH:ams

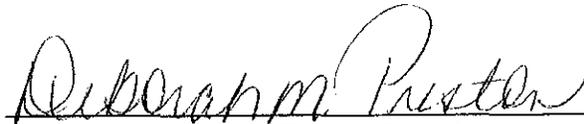
RESOLUTION #77-2008

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

Whereas, Wayne Woodall has successfully served two (2) years as a Zoning Inspector for the Planning & Zoning Department; and

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

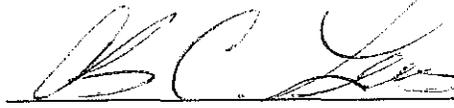
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Wayne Woodall to Pay Grade PT6, Step 6, to \$16.47 per hour, effective June 5, 2008.



Deborah M. Preston, Trustee President

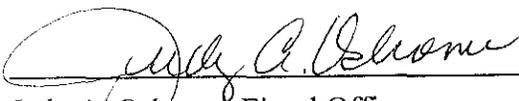


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

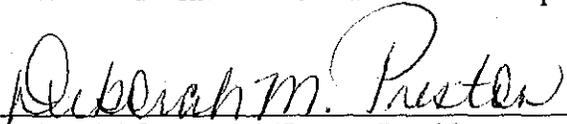
GAH:ams

RESOLUTION #78-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY AGREEMENT TO OBTAIN
BOUNDARY AND TOPOGRAPHICAL SURVEYING SERVICES
RELATED TO THE CONSTRUCTION OF A NEW PUBLIC WORKS
FACILITY AND FUTURE SITE DEVELOPMENT**

- Whereas,** Miami Township has a need for professional boundary and topographical surveying services for a sixty-eight (68) acre Township parcel, and a twenty-three (23) acre City of Dayton parcel, on Austin Pike, relating to the construction of a new Public Works Facility and future site development; and
- Whereas,** the Township is authorized by the Ohio Revised to secure a professional surveying services agreement, if the amount is under the statutory bidding contract requirements; and
- Whereas,** Miami Township has thoroughly reviewed the two (2) boundary and topographical surveying proposals that were submitted; and
- Whereas,** Tes Tech was determined to be the most qualified firm, with the lowest and best proposal, to provide the professional surveying services relating to the construction of a new Public Works Facility and future site development; and

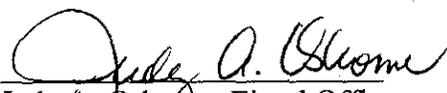
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to secure an agreement with Tes Tech, 8534 Yankee Street, Dayton, Ohio, 45458, to provide professional boundary, topographical and pipeline easement restriction surveying services for a sixty-eight (68) acre Township parcel, and a twenty-three (23) acre City of Dayton parcel, on Austin Pike, relating to the construction of a new Public Works Facility and future site development, not to exceed a cost of \$13,250.00, subject to the hourly and itemized terms of the attached letter of proposal.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH:ams

RESOLUTION #79-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE THE NECESSARY AGREEMENT TO OBTAIN
AIRSPACE OBSTRUCTION ANALYSIS SERVICES RELATED TO THE
CONSTRUCTION OF A NEW PUBLIC WORKS FACILITY AND
FUTURE SITE DEVELOPMENT**

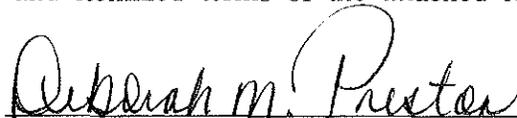
Whereas, Miami Township has a need for professional airspace obstruction analysis services for a sixty-eight (68) acre Township parcel, and a twenty-three (23) acre City of Dayton parcel, on Austin Pike, relating to the construction of a new Public Works Facility and future site development; and

Whereas, the Township is authorized by the Ohio Revised to secure professional surveying services agreement, if the amount is under the statutory bidding contract requirements; and

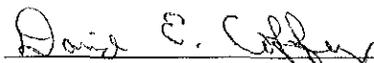
Whereas, Miami Township has thoroughly reviewed the airspace obstruction analysis proposal that was submitted by PB Americas, Inc.; and

Whereas, PB Americas was determined to be the most qualified firm to provide the airspace obstruction services, due to a history of services provided to the Dayton-Wright Brothers Airport; and

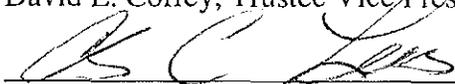
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute all necessary documents to secure an agreement with PB Americas, to provide professional airspace obstruction analysis services for a sixty-eight (68) acre Township parcel, and twenty-three (23) acre City of Dayton parcel, on Austin Pike, relating to the construction of a new Public Works Facility and future site development, not to exceed a cost of \$11,283.00, subject to the hourly and itemized terms of the attached letter of proposal (Exhibit A).



Deborah M. Preston, Trustee President

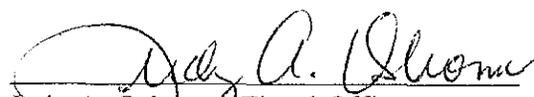


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:ams

RESOLUTION #80-2008

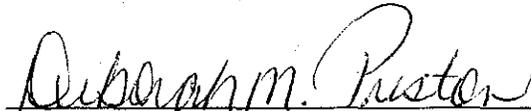
RESOLUTION TO AUTHORIZE THE HIRING OF
EIGHT (8) PART TIME FIREFIGHTER/EMT'S

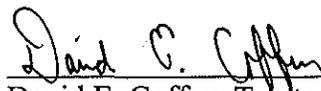
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

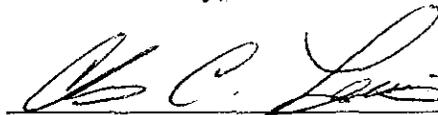
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individuals as part time personnel:

Matt Buschur	Grade S-1	\$11.61 / per hour
John Burkhart	Grade S-1	\$11.27 / per hour
Joshua Musser	Grade S-1	\$11.27 / per hour
Joshua Myers	Grade S-1	\$11.27 / per hour
Daniel Smith	Grade S-1	\$11.27 / per hour
Cameron Steggal	Grade S-1	\$11.27 / per hour
Keith Tilton	Grade S-1	\$11.27 / per hour
Christopher Warrick	Grade S-1	\$11.27 / per hour

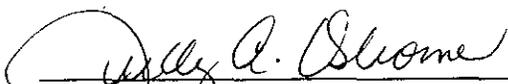
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above eight (8) individuals, with hiring dates to be respectively determined in the Division of Fire & EMS, effective May 27, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH:ams

RESOLUTION #81-2008

RESOLUTION TO AUTHORIZE MIAMI TOWNSHIP TO ENTER INTO AN AGREEMENT WITH THE MONTGOMERY COUNTY SHERIFF'S OFFICE FOR DISPATCHING SERVICES

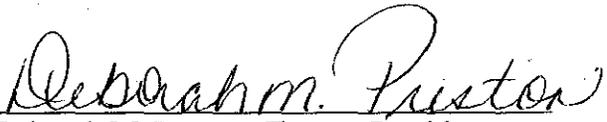
- Whereas,** Miami Township is desirous of acquiring professional police, fire, and EMS dispatching services for the residents of Miami Township; and
- Whereas,** the Sheriff of Montgomery County has the authority pursuant to O.R.C. 311.29 to enter into an agreement with Miami Township for dispatching services; and
- Whereas,** the Sheriff agrees to provide twenty four (24) hour a day police, fire, and EMS dispatching services to Miami Township by assigning exclusively to Miami Township, the resources necessary to perform police, fire and EMS dispatching and other necessary related functions for Miami Township at appropriate staffing levels. The Sheriff further agrees to make available to the aforementioned dispatchers, all training programs required to perform their duties; and
- Whereas,** the Sheriff assumes full responsibility for the hiring, training, assignment, discipline, and dismissal of all assigned personnel; and
- Whereas,** the Sheriff agrees to maintain records concerning the performance of services supplied by the Sheriff and to make records available to Miami Township which will aid Miami Township in its assessment of services provided by the Sheriff; and
- Whereas,** Miami Township agrees to provide the special equipment and facilities required to provide the aforementioned twenty four (24) hour a day police, fire, and EMS dispatching services and other necessary related functions required for Miami Township; and
- Whereas,** during the term of this agreement, the Sheriff and the Chief of Police agree on the assignment of key personnel responsible for the implementation of this agreement; and
- Whereas,** thirty (30) days after the commencement of this agreement, and every thirty (30) days thereafter, the Sheriff shall present a statement to Miami Township identifying the actual expenses incurred in providing the personnel needed for twenty four (24) hour a day police, fire, and EMS dispatching to Miami Township and upon receipt of said statement Miami Township shall pay said statement by issuing a check to the Montgomery County Sheriff's Office; and

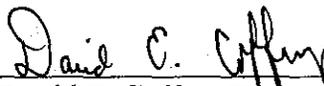
SIGNATURE PAGE FOR RESOLUTION #81-2008 ONLY

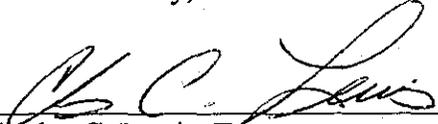
Whereas, it is further mutually agreed between the Sheriff and Miami Township that the duties of the dispatchers will be determined from time to time by the best judgment of the Sheriff and the Chief of Police, including but not limited to normal dispatching duties, LEADS entries, and duties in cooperation with other Township functions; and

Whereas, this agreement shall terminate at that time Montgomery County opens their planned regional dispatch center, or on the 31st day of December, 2008 or by either party after a ninety (90) day advance written notice; and

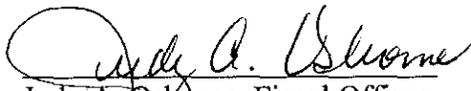
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes entering into an agreement between the Montgomery County Sheriff's Office and Miami Township for police, fire, and EMS dispatching services effectively immediately and approve the payment of actual expenses incurred by the Montgomery County Sheriff's Office for providing these services upon receipt of an invoice.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH:ams

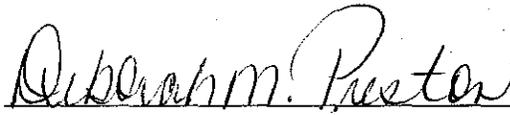
RESOLUTION # 82-2008

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

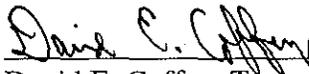
Whereas, Christopher Barlow has been a career Firefighter/Paramedic since September 12, 2007; and

Whereas, Christopher Barlow has decided to resign his full-time position for personal reasons; and

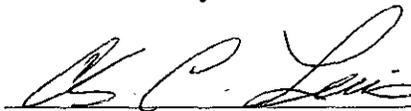
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Christopher Barlow, and termination of his employment is effective May 28, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:sld

RESOLUTION #83-2008

RESOLUTION TO AUTHORIZE HEALTH INSURANCE WITH UNITED HEALTH CARE FOR THE 2008/2009 CONTRACT YEAR

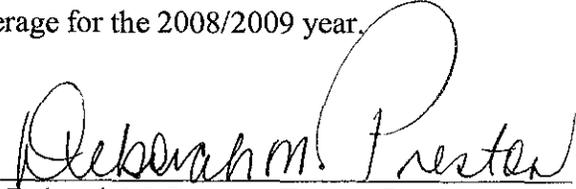
- Whereas,** Miami Township participates in medical and prescription benefits for the employees and qualifying individuals; and
- Whereas,** the Elected Officials, after reviewing the options has elected United Health Care's (UHC) Option #1; and
- Whereas,** Option #1 allows employees to choose between a Buy-up Plan or a High Deductible Health Plan and the average total possible increase to Miami Township is approximately 8.12%; and
- Whereas,** An eligible employee may chose from a Buy-up Plan or a high deductible health plan with premiums as follows:

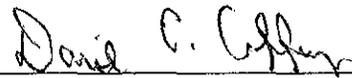
Option #1	Monthly Premium	Monthly Premium	Monthly Non-union Employee Contribution @ 10%	Monthly Non-union Employee Contribution @ 10%	Monthly Union Employee Contribution @ 20%	Monthly Union Employee Contribution @ 20%
	HDHP	BUY-UP	HDHP	BUY-UP	HDHP	BUY-UP
Employee Only:	\$363.02	\$552.74	\$36.30	\$55.27	\$72.60	\$110.55
Employee + Spouse:	\$794.34	\$1,209.48	\$79.43	\$120.95	\$158.87	\$241.90
Employee + Children:	\$612.79	\$933.04	\$61.28	\$93.30	\$122.56	\$186.61
Employee + Family	\$1,120.63	\$1,706.29	\$112.06	\$170.63	\$224.13	\$341.26

and

- Whereas,** the Elected Officials, in offering Option 1, are willing to fund an Employer HSA Contribution by contributing specific amounts to those employees who elect to participate the option that is a high deductible health plan (Resolution 85-2008); and
- Whereas,** a renewal date of July 1, 2008, 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 United Health Care to institute health insurance coverage for the 2008/2009 year.


 Deborah M. Preston, Trustee President

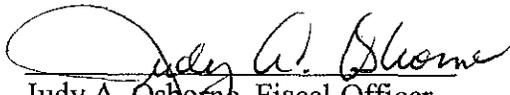


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH/lrdg

RESOLUTION #83-2008

RESOLUTION TO AUTHORIZE HEALTH INSURANCE WITH UNITED HEALTH CARE FOR THE 2008/2009 CONTRACT YEAR

Whereas, Miami Township participates in medical and prescription benefits for the employees and qualifying individuals; and

Whereas, the Elected Officials, after reviewing the options has elected United Health Care's (UHC) Option #1; and

Whereas, Option #1 allows employees to choose between a Buy-up Plan or a High Deductible Health Plan and the average total possible increase to Miami Township is approximately 8.12%; and

Whereas, An eligible employee may chose from a Buy-up Plan or a high deductible health plan with premiums as follows:

Option #1	Monthly Premium		Monthly Non-union Employee Contribution @ 10%		Monthly Union Employee Contribution @ 20%	
	HDHP	BUY-UP	HDHP	BUY-UP	HDHP	BUY-UP
Employee Only:	\$363.02	\$552.74	\$36.30	\$55.27	\$72.60	\$110.55
Employee + Spouse:	\$794.34	\$1,209.48	\$79.43	\$120.95	\$158.87	\$241.90
Employee + Children:	\$612.79	\$933.04	\$61.28	\$93.30	\$122.56	\$186.61
Employee + Family	\$1,120.63	\$1,706.29	\$112.06	\$170.63	\$224.13	\$341.26

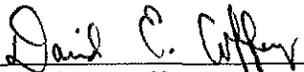
and

Whereas, the Elected Officials, in offering Option 1, are willing to fund an Employer HSA Contribution by contributing specific amounts to those employees who elect to participate the option that is a high deductible health plan (Resolution 86-2008); and

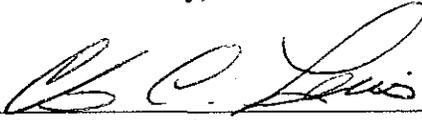
Whereas, a renewal date of July 1, 2008, shall be used; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Greg Hanahan, Township Administrator, to enter into a contract with United Health Care to institute health insurance coverage for the 2008/2009 year.


 Deborah M. Preston, Trustee President

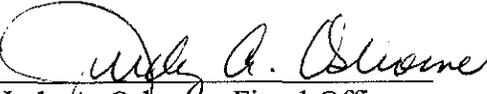


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



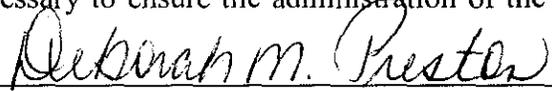
Judy A. Osborne, Fiscal Officer
Passed: May 27, 2008
GAH/lrdg

RESOLUTION #84-2008

**RESOLUTION TO CONTRACT FOR
HEALTH SAVINGS ACCOUNT (HSA) SERVICES**

- Whereas,** the Miami Township Board of Trustees has elected to provide an IRS-regulated Health Savings Account (HSA) plan for eligible full time, regular Miami Township employees; and
- Whereas,** eligibility for employees not covered by a collective bargaining agreement means full time, regular employees and eligible elected officials who enroll in a high deductible health plan for the plan year of 07/01/2008 through 06/30/2009; and
- Whereas,** eligibility for employees covered by a collective bargaining agreement means full-time regular employees whose union has signed a separate Memorandum of Understanding; and
- Whereas,** the Human Resources Director, Lisa R. deGuzman, is recommending FlexBank as the vendor to administer the HSA plan; and
- Whereas,** the HSA is not an entitlement of any eligible non-union or union employee or eligible elected official and is a benefit only for the plan year; and
- Whereas,** the HSA administrative costs, which Miami Township has agreed to pay, is \$3.50 per month, per eligible and participating employee; and

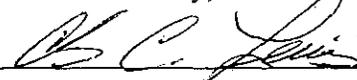
Therefore Be It Resolved, the Miami Township Board of Trustees has considered and supports the recommendation, and directs Human Resources Director, Lisa R. deGuzman, to proceed as necessary to ensure the administration of the HSA for the plan year.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:lrdg

RESOLUTION #85-2008

RESOLUTION TO FUND THE HEALTH SAVINGS ACCOUNT (HSA)

- Whereas,** the Miami Township Board of Trustees has, for the plan year of 07/01/2008 through 06/30/2009, agreed to fund HSA contributions for eligible employees and elected officials who elect a high deductible health plan; and
- Whereas,** The Employer HSA Contribution funding is in concurrence with Resolutions #83-2008, 84-2008, and the following; and
- Whereas,** the Board of Trustees has agreed to fund employees and elected officials not covered by a collective bargaining agreement at a maximum earnable contribution of \$1,350 for the Employee Only Plan Level and at \$2,700 for the following Plan Levels: Employee + Spouse, Employee Plus Children, and Employee Plus Family; and
- Whereas,** the Board of Trustees has agreed to fund employees covered by a collective bargaining agreement as outlined for non-union employees and providing that the respective union agrees to and signs off on a Memorandum of Understanding to be drafted by legal counsel; and
- Whereas,** the Human Resources Director will develop a pro-rated Employer HSA Contribution schedule to accommodate persons hired later in the plan year and for changes in Plan Levels; and
- Whereas,** the Employer HSA Contribution is not an entitlement of any eligible non-union or union employee or elected official, and is a benefit only for this plan year; and
- Whereas,** the Employer HSA Contribution will be directly tied to an employee's, and respective eligible members covered under the employee's plan, participation in a Wellness Program; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees has considered and supports the funding of HSA contributions as outlined above and directs Human Resources Director, Lisa R. deGuzman, and Finance Director, Joe Fowler, to proceed as necessary to ensure the HSA contributions are addressed appropriately.


Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: May 27, 2008

GAH:lrdg

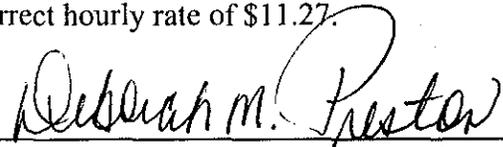
RESOLUTION #86-2008

**RESOLUTION TO RESCIND RESOLUTION #80-2008,
WHICH AUTHORIZED THE HIRING OF EIGHT (8)
PART TIME FF/EMT'S**

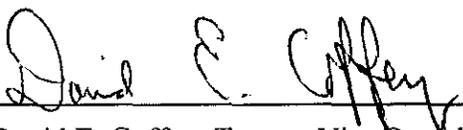
Whereas, the Miami Township Board of Trustees approved Resolution #80-2008, on May 27, 2008, authorizing the hiring of eight (8) part time Firefighters/EMS's; and

Whereas, the hour rate, of \$11.27 per hour, was incorrect on Resolution #80-2008, and the correct hourly rate is \$11.61 per hour; and

Therefore Be It Resolved, the Miami Township Board of Trustees hereby rescinds Resolution #80-2008, which authorized the hiring of eight (8) part time Firefighters/EMT's, at an incorrect hourly rate of \$11.27.



Deborah M. Preston, Trustee President

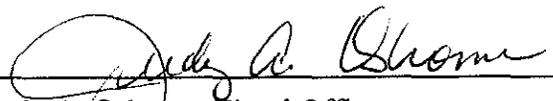


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: June 10, 2008
GAH:ams

RESOLUTION #87-2008

RESOLUTION TO AUTHORIZE THE HIRING OF EIGHT (8)
PART TIME FIREFIGHTER/EMT'S

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 personnel:

Matt Buschur	Grade S-1	\$11.61 / per hour
John Burkhart	Grade S-1	\$11.61 / per hour
Joshua Musser	Grade S-1	\$11.61 / per hour
Joshua Myers	Grade S-1	\$11.61 / per hour
Daniel Smith	Grade S-1	\$11.61 / per hour
Cameron Stegall	Grade S-1	\$11.61 / per hour
Keith Tilton	Grade S-1	\$11.61 / per hour
Christopher Warrick	Grade S-1	\$11.61 / per hour

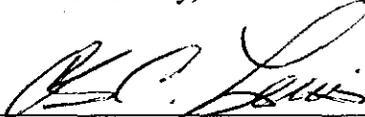
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above eight (8) individuals, with hiring dates to be respectively determined in the Division of Fire & EMS, effective May 27, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 10, 2008

GAH:ams

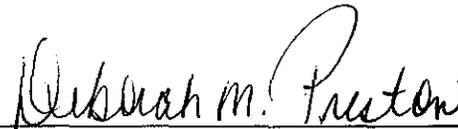
RESOLUTION #88-2008

**RESOLUTION TO AWARD A BUREAU OF WORKERS'
COMPENSATION GROUP RATING PROGRAM CONTRACT
TO AVIZENT FOR 2008/2009**

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 \$28,646 for Bureau of Workers' Compensation Group Rating Program, and secure these services for contract year 2008/2009.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 10, 2008

GAH:lrđg

RESOLUTION #89-2008

**RESOLUTION TO ADOPT A FEE SCHEDULE
FOR PLANNING & ZONING**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 10, 2008; and

Whereas, the Miami Township Zoning Resolution, under Article 3 Section 305, directs fees to be charged to defer, in part, the cost of holding hearings and reviewing applications filed with the Planning and Zoning Department; and

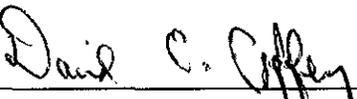
Whereas, a review has been completed and presented to the Trustees to revise the fee schedule for the Planning and Zoning Department; and

Whereas, the Trustees have reviewed the proposed fee schedule in a public meeting; and

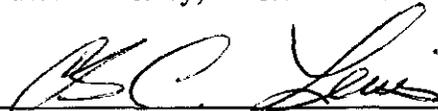
Therefore Be It Resolved, the Miami Township Board of Trustees adopts the attached fee schedule for the Planning and Zoning Department, effective immediately.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: June 10, 2008
GAH:ams

RESOLUTION #90-2008

RESOLUTION TO PROVIDE FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,600,000, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (OHIO), OF THE CONSTRUCTION AND ACQUISITION OF IMPROVEMENTS TO KINGSRIDGE DRIVE, LYONS RIDGE DRIVE AT LYONS ROAD, ROUTE 725, THE RING ROAD AT THE DAYTON MALL, SOUTHWIND DRIVE, INCLUDING BUT NOT LIMITED TO THE ADDITION OF NEW LANES ON SUCH ROADS AS NEEDED, RELOCATION OF LYONS RIDGE DRIVE, NEW GRADING, CONSTRUCTING STORM SEWER, STORM WATER IMPROVEMENTS, BURIAL OF UTILITY LINES, GAS, ELECTRIC AND COMMUNICATIONS SERVICE FACILITIES, INCLUDING, BUT NOT LIMITED TO FIBER OPTICS, STREET LIGHTING AND SIGNS, SIDEWALKS, BIKEWAYS AND LANDSCAPING, INCLUDING SCENIC FENCING AND IRRIGATION, TRAFFIC SIGNS AND SIGNALIZATION, OVERHEAD WIRING, AND INCLUDING DESIGN AND OTHER RELATED COSTS, AND ACQUIRING INTERESTS IN REAL ESTATE, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO, AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A PROJECT MANAGEMENT AND FINANCING AGREEMENT, BOND PURCHASE AGREEMENT, BOND REGISTRAR AGREEMENT, CONTINUING DISCLOSURE AGREEMENT AND RELATED OFFERING DOCUMENT

WHEREAS, this Board desires to work cooperatively with the Montgomery County Transportation Improvement District (Ohio)(the "*District*") in the construction and acquisition of improvements to Kingsridge Drive, Lyons Ridge Drive at Lyons Road, Route 725, the Ring Road at the Dayton Mall, Southwind Drive, including but not limited to the addition of new lanes on such roads as needed, relocation of Lyons Ridge Drive, new grading, constructing storm sewer, storm water improvements, burial of utility lines, gas, electric and communications service facilities, including, but not limited to fiber optics, street lighting and signs, sidewalks, bikeways and landscaping, including scenic fencing and irrigation, traffic signs and signalization, overhead wiring, and including design and other related costs, and acquiring interests in real estate, together with all necessary and related appurtenances thereto (collectively, the "*Project*") by issuing a general obligation bond of the Township for the purpose of paying costs of the Project; and

WHEREAS, this Township, the District and the City of Miamisburg, Ohio have entered into a Project Financing and Development Agreement (the "*Project Financing and Development Agreement*") dated as of April 29, 2008, providing for, among other things, the financing and development of the Project; and

WHEREAS, the Project Financing and Development Agreement provides that this Township, the District and the City of Miamisburg, Ohio may enter into project management and financing agreements from time to time to facilitate the financing and construction of the various projects identified in the Project Financing and Development Agreement and those parties propose to enter into such an agreement (defined herein as the Project Management and Financing Agreement) to facilitate the financing and construction of the Project; and

WHEREAS, the Project Financing and Development Agreement qualifies as an agreement which is described under 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 ("*Section 555.10*"); and

WHEREAS, Section 555.10 provides that once an agreement authorized by Section 555.10 in is effect, the Township may issue general obligation bonds under Chapter 133 of the Ohio Revised Code for transportation projects such as the Project, and the District may purchase those bonds from the Township; and

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

WHEREAS, pursuant to the TIF Resolution and Ohio Revised Code Section 5709.75, the PILOTs received by the Township shall be deposited in the Kingsridge Tax Equivalent Fund and used to pay debt charges on the securities issued by the Township to finance the public improvements identified in the TIF Resolution; and

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

WHEREAS, the Fiscal Officer has certified to this Board that the estimated life or period of usefulness of the Project described in Section 1 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 and the City of Miamisburg, Ohio to issue bonds for the purpose of paying the costs of the Project;

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

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 Township Administrator of the Issuer.

“Authorized Denominations” means the denomination of \$5,000 or any integral multiple thereof.

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

“Bond Purchase Agreement” means the Bond Purchase Agreement among the District, the Township and the original purchaser of the District Bonds, as it may be modified from the form on file with the Fiscal Officer and executed by the Fiscal Officer in accordance with Section 6 of this Resolution.

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

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

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

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

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

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

“*Code*” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

“*Continuing Disclosure Certificate*” means the certificate authorized by Section 9(c), to be substantially in the form on file with the Fiscal Officer, and which, together with the agreements of the Township set forth in that subsection and certain agreements of the District set forth in the District Bond Resolution, shall constitute the continuing disclosure agreement (the “*Continuing Disclosure Agreement*”) made by the Township and the District for the benefit of the District and the holders and beneficial owners of the District Bonds in accordance with the Rule.

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

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

“*District Bonds*” means the bonds authorized and issued by the District for the purpose of paying the costs of the Project and acquiring the Bonds.

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

“*Interest Payment Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award, *provided* that interest shall be paid on the Bonds at the same rates and on the same dates as the District Bonds.

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

“*NRMSIR*” means each nationally recognized municipal securities information repository designated from time to time by the SEC in accordance with the Rule.

“Original Purchaser” means the District.

“Principal Payment Dates” means December 1 in each of the years from and including 2009 to and including 2028, *provided* that the first Principal Payment Date may be advanced up to one year and the last Principal Payment Date may be advanced or deferred up to five years, and *provided further* that principal shall be paid on the Bonds in the same amounts and on the same dates as the District Bonds, which determination shall be made by the Fiscal Officer in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the Township.

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

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

“SEC” means the Securities and Exchange Commission.

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

“SID” means the state information depository, if any, with which filings are required to be made by the District in accordance with the Rule.

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

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

Capitalized terms not otherwise defined in this Resolution have the meanings assigned to them in the Act. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary and in the best interest of the Township to issue bonds of this Township in the maximum principal amount of \$5,600,000 (the "Bonds") for the purpose of paying the costs, in cooperation with the Montgomery County Transportation Improvement District (Ohio), of the construction and acquisition of improvements to Kingsridge Drive, Lyons Ridge Drive at Lyons Road, Route 725, the Ring Road at the Dayton Mall, Southwind Drive, including but not limited to the addition of new lanes on such roads as needed, relocation of Lyons Ridge Drive, new grading, constructing storm sewer, storm water improvements, burial of utility lines, gas, electric and communications service facilities, including, but not limited to fiber optics, street lighting and signs, sidewalks, bikeways and landscaping, including scenic fencing and irrigation, traffic signs and signalization, overhead wiring, and including design and other related costs, and acquiring interests in real estate, together with all necessary and related appurtenances thereto (collectively, the "Project"). The Bonds shall be issued pursuant to the Act, this Resolution and the Certificate of Award.

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

The proceeds from the sale of the Bonds received by the Township, except any premium and accrued interest, are hereby appropriated and shall be immediately used in accordance with the Project Management and Financing Agreement to pay the costs of the Project and to pay those costs of issuance of the Bonds specified in the Certificate of Award, which expenditures are hereby determined to be costs of the Project as defined in the Act and this Resolution. Any portion of those proceeds received by the Township and representing premium and accrued interest shall be paid into the Bond Retirement Fund and are hereby appropriated to pay bond service charges on the Bonds as those charges become due.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Fiscal Officer is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) **Interest Rates and Payment Dates.** The Bonds shall bear 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 Bonds shall bear the same rates of interest as the District Bonds. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the

principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the Township.

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

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on each Principal Payment Date shall be the same as the rates on the District Bonds and shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 6.00% per year.

(d) Payment of Bond Service Charges. The bond service charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*"), provided that such determinations shall be consistent with the terms of the District Bonds.

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

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

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

(ii) Optional Redemption. The Bonds, if any, of the maturities specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the Township, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; *provided* that the earliest optional redemption date shall not be later than December 1, 2019, and the redemption price for the earliest optional redemption date shall not be greater than 103%, and *provided further* that such determinations shall be consistent with the terms of the District Bonds.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the Township. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the

Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the Township by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d), upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by at least two members of the Board of Township Trustees and the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The Fiscal Officer shall sign and deliver, in the name and on behalf of the Township, the Bond Registrar Agreement among the District, the Township and the Bond Registrar, in substantially the form as is now on file with the Fiscal Officer. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the District Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange.

(a) **Bond Register.** So long as any of the Bonds remain outstanding, the Township will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the bond service charges on any Bond shall be made only to or upon the order of that person; neither the Township nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or

transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the Township. In all cases of Bonds exchanged or transferred, the Township shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the Township nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6. Sale of the Bonds to the Original Purchaser. It is determined to be in the best interest of the Township that the Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 98% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law and the provisions of this Resolution.

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

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

The Township Trustees, or any of them, the Fiscal Officer, the County Prosecutor, or other officials, as appropriate, are each authorized and directed to sign any transcript certificates,

financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

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

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

Section 8. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds and, to the extent possible, the District Bonds in such manner and to such extent as may be necessary so that (a) the Bonds and the District Bonds 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 bonds 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 Bonds and the District Bonds 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 Bonds and the District Bonds 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 Bonds, 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 Bonds and the District Bonds as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections 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 Bonds and the District Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, 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 Bonds and the District Bonds, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Bonds and the District Bonds, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Bonds and the District Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds and the District Bonds.

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

(a) **Primary Offering Disclosure – Official Statement.** Any of the two of the President of this Board, the Administrator and the Fiscal Officer are authorized and directed, on behalf of the Township and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the District Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the District Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) **Application for Rating or Bond Insurance.** If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds or the District Bonds by one or

more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds or the District Bonds, is in the best interest of and financially advantageous to this Township, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds or the District Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the Township that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the District and the holders and beneficial owners from time to time of the District Bonds, the Township agrees, as an obligated person with respect to the District Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of paragraph (d)(2) of the Rule. The Township further agrees, in particular, to provide or cause to be provided:

(i) To any person upon request, or at least annually to the SID, financial information and operating data regarding the Township that is customarily prepared by the Township and is publicly available, and

(ii) To each NRMSIR or to the MSRB, and to the SID, in a timely manner, notice of any Specified Event if that Event is material.

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

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing in accordance with clause (ii) above or providing notice of the occurrence of any other events, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made.

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

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

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

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

Section 10. Project Management and Financing Agreement. The Project Management and Financing Agreement among the District, the Township and the City of Miamisburg, Ohio, providing generally for the facilitation of the financing and construction of the Project, 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 Administrator on behalf of the Township all of which shall be conclusively evidenced by the signing of the Project Management and Financing Agreement or amendments thereto.

Section 11. Bond Counsel. The law firm of Calfee, Halter & Griswold LLP is hereby appointed to provide bond counsel services in connection with the issuance of the Bonds. The costs of those services shall be paid from the proceeds of the Bonds.

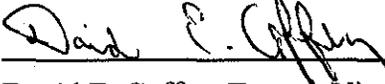
Section 12. Satisfaction of Conditions for Bond Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the Township are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 13. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

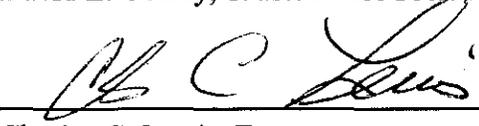
Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

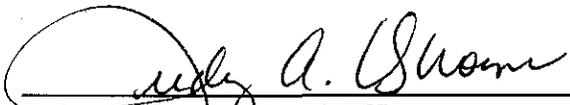
FISCAL OFFICER'S CERTIFICATE

To the Board of Township Trustees of Miami Township, Montgomery County, Ohio:

As fiscal officer of Miami Township, Montgomery County, Ohio, I certify in connection with your proposed issue of Bonds, in a principal amount not to exceed \$5,600,000 of notes (the "Bonds"), to be issued to pay costs, in cooperation with the Montgomery County Transportation Improvement District, of the construction and acquisition of improvements to Kingsridge Drive, Lyons Ridge Drive at Lyons Road, Route 725, the Ring Road at the Dayton Mall, Southwind Drive, including but not limited to the addition of new lanes on such roads as needed, relocation of Lyons Ridge Drive, new grading, constructing storm sewer, storm water improvements, burial of utility lines, gas, electric and communications service facilities, including, but not limited to fiber optics, street lighting and signs, sidewalks, bikeways and landscaping, including scenic fencing and irrigation, traffic signs and signalization, overhead wiring, and including design and other related costs, and acquiring interests in real estate, together with all necessary and related appurtenances thereto, that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. That the maximum maturity of the bonds authorized to be issued for such improvements, calculated in accordance with Section 133.20 of the Ohio Revised Code, is at least twenty (20) years.

Attest:



Judy A. Osborne, Fiscal Officer
Miami Township, Montgomery County, Ohio
GAH:ams

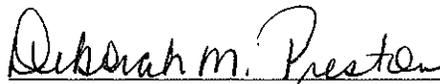
RESOLUTION #91-2008

**RESOLUTION TO AUTHORIZE CHANGING A
DUPLICATE RESOLUTION NUMBER**

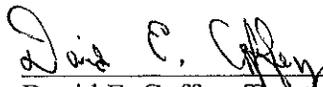
Whereas, on May 27, 2008, Resolution #75-2008 was passed on a nuisance abatement located at 9049 Marquis Drive; and

Whereas, on June 10, 2008, Resolution #75-2008 was erroneously used a second time to hire two (2) part time FF/EMT's; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the changing of Resolution #75-2008, to hire two (2) PT FF/EMT's, to Resolution #91-2008.



Deborah M. Preston, Trustee President

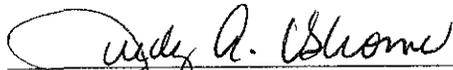


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 24, 2008

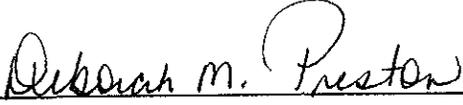
GAH:ams

RESOLUTION #92-2008

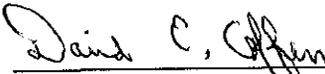
**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION
IN ANTICIPATION OF A 3.5 REPLACEMENT LEVY
FOR THE FIRE DEPARTMENT**

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective fire and EMS service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 3.5 mills, as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B) requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

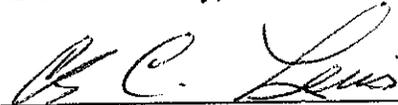
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor certify the current total tax valuation of the unincorporated portion of Miami Township, and the total revenue a 3.5 mill replacement levy for the Fire Department would generate for the purpose of fire services, as provided for under ORC 5705.19 (I), if approved in the November 2008 general election, to replace the existing 3.5 mill fire levy expiring on December 31, 2008.



Deborah M. Preston, Trustee President

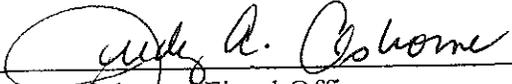


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: June 24, 2008

GAH:ams

RESOLUTION #93-2008

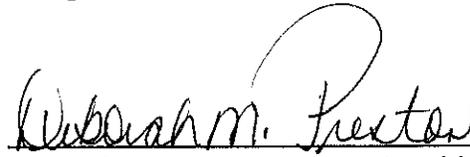
**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO A
FINAL DEVELOPMENT PLAN FOR ZONING CASE #167-85,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, June 24, 2008; and

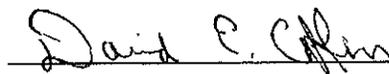
Whereas, Zoning Case #167-85, filed by Papyrus Properties, LLC, proposes adoption of a major modification to a final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

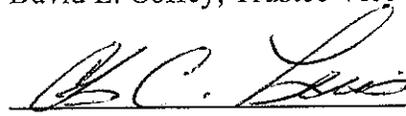
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan, for Zoning Case #167-85, and UPHOLDS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

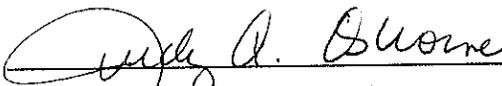


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: June 24, 2008
GAH:ams

RESOLUTION #94-2008

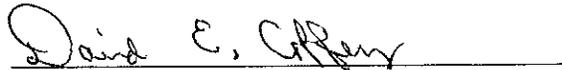
**RESOLUTION TO AUTHORIZE A PAY INCREASE FOR A
POLICE SERGEANT**

Whereas, Jay Phares has successfully served three (3) years as Sergeant for the Police Department; and

Whereas, a performance evaluation has been completed by the Police Chief, and an evaluation and recommendation has been completed; and

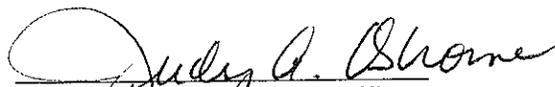
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Police Sergeant Jay Phares, to Pay Grade S, Step 4, \$29.71 per hour, effective June 28, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: June 24, 2008
GAH:ams

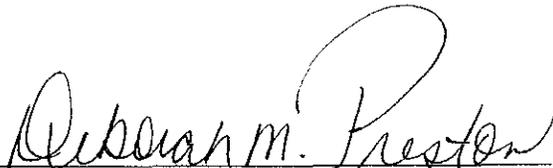
RESOLUTION #95-2008

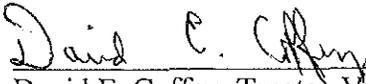
**RESOLUTION TO AUTHORIZE A PAY INCREASE FOR A
POLICE SERGEANT**

Whereas, Paul Nienhaus has successfully served three (3) years as Sergeant for the Police Department; and

Whereas, a performance evaluation has been completed by the Police Chief, and an evaluation and recommendation has been completed; and

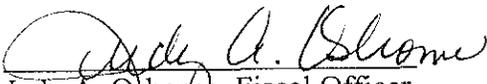
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Police Sergeant Paul Nienhaus, to Pay Grade S, Step 4, \$29.71 per hour, effective June 28, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: June 24, 2008
GAH:ams

RESOLUTION #96-2008

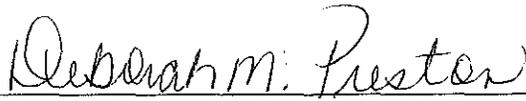
RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR RIGHT-OF-WAY ACQUISITION SERVICES ON THE SPRING VALLEY PIKE, PHASE V IMPROVEMENTS PROJECT.

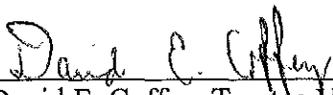
Whereas, Miami Township has entered into an agreement with the Ohio Public Works Commission for the Spring Valley Pike, Phase V Improvements Project; and

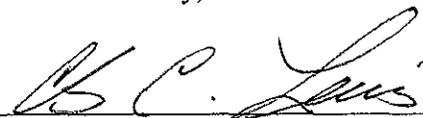
Whereas, the Public Works Department has a need to utilize professional right-of-way acquisition services to obtain property to complete the necessary roadway improvements to Spring Valley Pike; and

Whereas, the Public Works Director and Township Administrator have reviewed two proposals for right-of-way acquisition services and are giving their recommendation; and

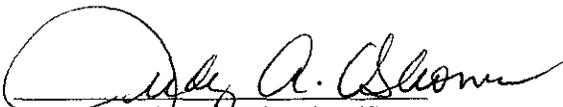
Therefore be it Resolved, the Board of Trustees authorizes the Township Administrator to execute an agreement with Barbara A. Gray & Associates, 3520 Hackney Drive, Kettering, Ohio, 45420-1030, to serve as right-of-way consultants for the Spring Valley Pike, Phase V Improvements Project at a cost not to exceed \$8,035.00.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: July 8, 2008
GAH:bph

RESOLUTION #97-2008

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 2352 Spring Valley Road, 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 July 8, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 8, 2008, 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:

2352 Spring Valley Road

Parcel ID #K45-231-19-36

Scott Massey

2352 Spring Valley Rd.

Miamisburg, OH 45342

Patricia Massey

2352 Spring Valley Rd.

Miamisburg, OH 45342

Mortgage Company

U.S. Bank National Association as

Trustee for Aurora Loan Services

FEMLT 2005-FFH2 by: Saxon Mortgage

Services, Inc. as its attorney-in-fact

c/o Saxon Mortgage Services.

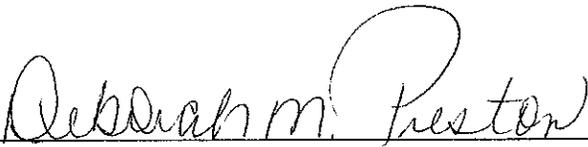
4708 Mercantile Drive

Fort Worth, TX 76137

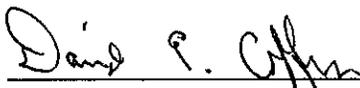
SIGNATURE PAGE FOR RESOLUTION #97-2008 ONLY

Scott Massey
297 Harrison Street
Manchester, NH 03104

Patricia Massey
297 Harrison Street
Manchester, NH 03104



Deborah M. Preston, Trustee President

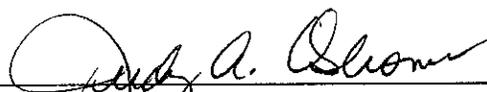


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed July 8, 2008
GAH:bph

RESOLUTION #98-2008

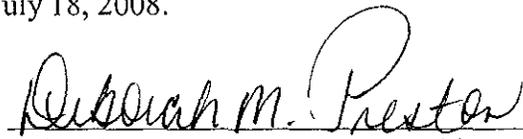
**RESOLUTION TO ACCEPT THE DISABILITY RETIREMENT OF
COMMUNICATION SPECIALIST DAWN L. JOHNSON**

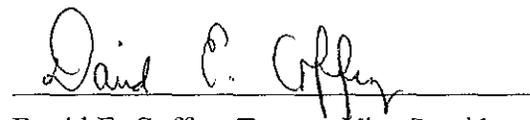
Whereas, Communication Specialist Dawn L. Johnson has served the Miami Township Police Department faithfully and in good stead; and

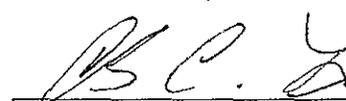
Whereas, Communication Specialist Dawn L. Johnson begin serving Miami Township on December 14, 1998; and

Whereas, Communication Specialist Dawn L. Johnson has applied for and been approved for a disability pension through the Ohio Public Employees Retirement System; and

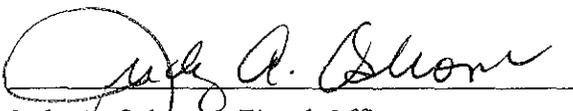
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the disability retirement of Communication Specialist Dawn L. Johnson and termination of her employment is effective July 18, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: July 22, 2007
GAH:bph

RESOLUTION #99-2008

**RESOLUTION TO APPROVE A PAY INCREASE FOR A
PLANNER**

Whereas, Kyle Hinkelman has successfully served six (6) months 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

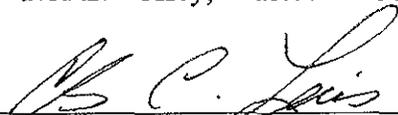
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Kyle Hinkelman to Pay Grade 2, Step 2, to \$19.28 per hour, effective July 7, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: July 8, 2008
GAH:bph

RESOLUTION #100-2008

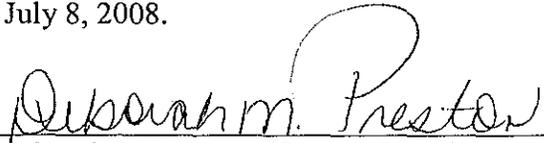
**RESOLUTION TO AUTHORIZE THE HIRING OF A PART-TIME
FIREFIGHTER/EMT**

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

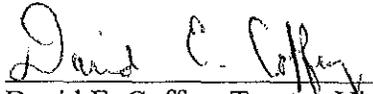
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individual as a part-time person:

Scott Brooks Grade S-1 \$11.61 / per hour

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with a hiring date to be determined by the Division of Fire & EMS, effective July 8, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: July 8, 2008
GAH:bph

RESOLUTION #101-2008

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

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

WHEREAS, the Township has determined to enter into a First Amendment to Cooperative Agreement, by and among the Township, Miamisburg, Springboro, the District and the School District, amending the Original Cooperative Agreement (the "First Amendment"), in order to provide additional funding for the for the financing and construction of the Project; and

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 First Amendment, now determines that it is a proper public purpose and in the best interests of the Township to enter into the First Amendment.

Section 2. Authorization for Execution and Delivery of the First Amendment. The Board of Trustees of the Township hereby authorizes and directs the President of this Board, or any one of the other Trustees or the Township Administrator, to execute and deliver for and on behalf of the Township the First Amendment, substantially in the form presently on file with the Township, with such changes thereto as may be approved by the Township official or officials executing the First Amendment, the execution of which shall be prima facie evidence of such Township official's approval of the form of the First Amendment. The Township

Administrator is hereby directed to obtain and deliver to the Fiscal Officer for retention in the official records of the Township a fully executed counterpart of the First Amendment.

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

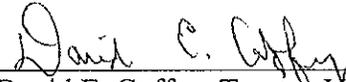
Section 4. Open Meeting Requirements Compliance. This Board of Trustees determines that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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

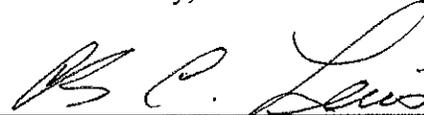
SIGNATURE PAGE FOR RESOLUTION #101-2008 ONLY



Deborah M. Preston, Trustee President

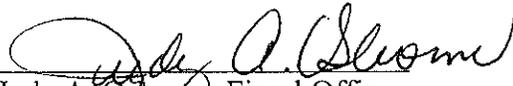


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 8, 2008

GAH:bph

RESOLUTION #102-2008

**RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX
IN EXCESS OF THE TEN MILL LIMITATION FOR THE
FIRE DEPARTMENT**

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 and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part time, or volunteer firefighters, or firefighting companies to operate the same, including the payment of the firefighter employers' contribution, required under section 742.34 of the Revised Code, or the purchase of ambulance equipment, or the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company;" at a rate not exceeding 3.5 mills for each one dollar of valuation, which amounts to \$0.35 for each one hundred dollars of valuation for five years, and which is a replacement for an existing levy of 3.5 mills commencing collection year 2009; and

Therefore Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2009, if a majority of the electors voting thereon vote in favor thereof; and

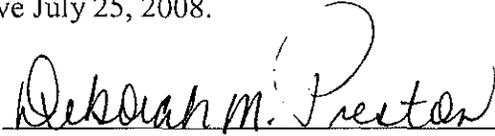
Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than 75 days before the election, upon which it will be voted and notify said Board of Elections to cause notice of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

RESOLUTION #103-2008

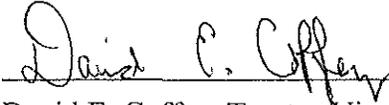
**RESOLUTION TO EXTEND A FINAL DEVELOPMENT PLAN
APPROVAL FOR ZONING CASE #370-05**

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, July 22, 2008; 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, will expire on July 25, 2008; 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

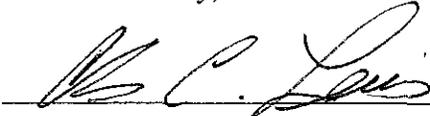
Therefore Be It Resolved, the Miami Township Board of Trustees Approves the extension of the Final Development Plan for Zoning Case #370-05 for a period of one (1) year, effective July 25, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2007

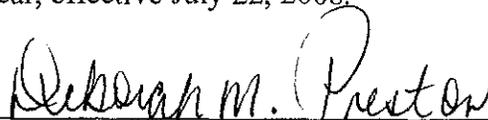
GAH:bph

RESOLUTION #104-2008

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

- Whereas,** the Miami Township Board of Trustees met in a regular session on Tuesday, July 22, 2008; and
- Whereas,** the Final Development Plan for Section 1 of the Rivendell Plat under Zoning Case #393-07, originally filed by Zengel Construction Company, will expire in the Fall of 2008; 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 approving 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, 2008.



Deborah M. Preston, Trustee President

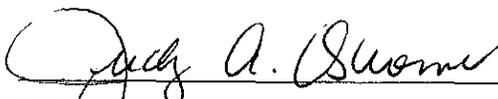


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2008

GAH:bph

RESOLUTION #105-2008

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 5924 Jassamine Dr., Dayton, Ohio, 45449, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 22, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on July 22, 2008, 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:

SIGNATURE PAGE FOR RESOLUTION #105-2008 ONLY

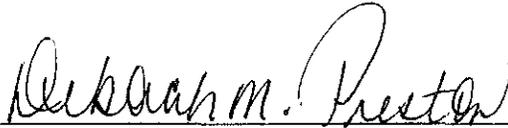
5924 Jassamine Drive

Parcel ID #K47-230-2-8

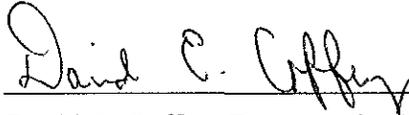
Federal National Mortgage Association

One South Wacker Drive, Suite 1300

Chicago, IL 60606-4667



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2008

GAH:bph

RESOLUTION #106-2008

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO 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, July 22, 2008; and

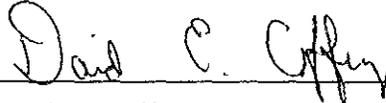
Whereas, Zoning Case #167-85, filed by Papyrus Properties, LLC, proposes adoption of a major modification to a final development plan for lands zoned "PD-5", Planned Mixed-Use; and

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

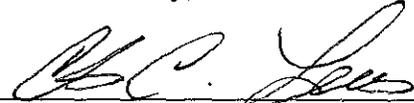
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Final Development Plan for Zoning Case #167-85 and UPHOLDS the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

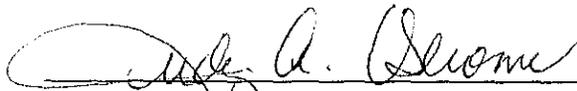


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2008

GAH:bph

RESOLUTION #107-2008

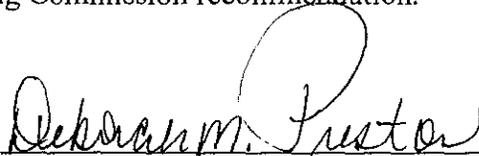
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
ZONING CASE #374-05, PHASE III, FOR LANDS ZONED "PD-5",
PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, July 22, 2008; 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

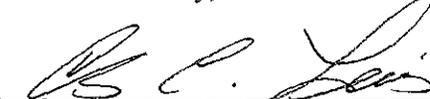
Therefore **Be It Resolved**, the Miami Township Board of Trustees APPROVED the Final Development Plan for Zoning Case #374-05, Phase III and MODIFIED the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

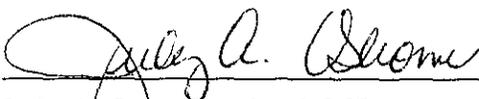


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



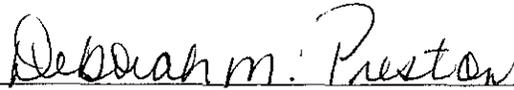
Judy A. Osborne, Fiscal Officer
Passed: July 22, 2008
GAH:bph

RESOLUTION #108-2008

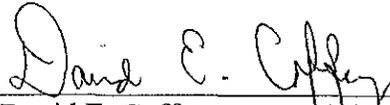
**RESOLUTION TO AUTHORIZE THE HIRING OF A FULL TIME
FIREFIGHTER/PARAMEDIC**

- Whereas,** there is a vacancy to be filled in the Division of Fire/EMS; and
- Whereas,** Fire Chief David B. Fulmer is making his recommendation; and
- Whereas,** a conditional offer of employment has been made to and accepted by Jeremy Smith; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Jeremy Smith, as a full time Firefighter/Paramedic, at an hourly rate of \$15.22, in the Division of Fire/EMS, effective July 22, 2008.



Deborah M. Preston, Trustee President

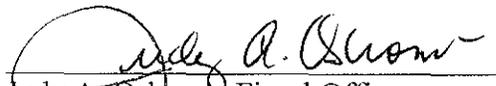


David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2008

GAH:bph

RESOLUTION #109-2008

RESOLUTION TO AUTHORIZE THE HIRING OF A PART-TIME FIRE ADMINISTRATIVE ASSISTANT I FOR THE DIVISION OF FIRE/EMS

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

Whereas, a conditional offer of employment has been made to and accepted by Megan Whitlock; and

Whereas, Chief Fulmer recommends the hiring of Megan Whitlock following her passing all conditional-offer assessments, and

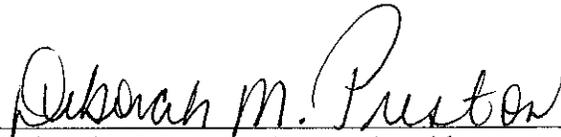
Whereas, should Megan Whitlock fail to pass the assessments, Chief Fulmer will withdraw his recommendation and this resolution shall cease to have authority; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of Megan Whitlock, at an hourly rate of \$12.85, Pay Grade PT7, conditioned upon Ms. Whitlock passing all conditional offer assessments; and

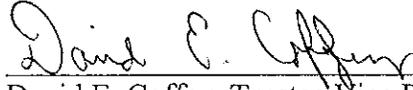
Further Be It Resolved, this resolution will take effect Tuesday, July 22, 2008; and

Finally, Be It Resolved, this resolution will immediately cease to have authority should Megan Whitlock fail any portion of the conditional-offer assessments.

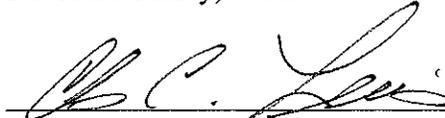
SIGNATURE PAGE FOR RESOLUTION #109-2008 ONLY



Deborah M. Preston, Trustee President

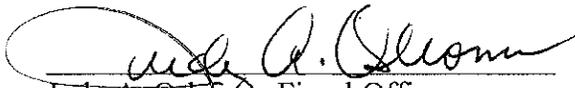


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: July 22, 2008

GAH:bph

RESOLUTION #110-2008

RESOLUTION TO ABOLISH THE POSITION OF COMMUNICATION SPECIALIST AND CONTRACT WITH THE MONTGOMERY COUNTY SHERIFF'S OFFICE FOR DISPATCHING SERVICES

Whereas, the Miami Township Board of Trustees has committed to becoming a participant in the Montgomery County Consolidated Dispatch Center; and

Whereas, on May 27, 2008 the Miami Township Board of Trustees entered into an agreement with the Montgomery County Sheriff's Office to provide twenty-four hour a day police, fire and EMS dispatching to Miami Township; and

Whereas, Montgomery County will perform the dispatching services out of the Miami Township Communication Center with Montgomery County employees until such time as the new Consolidated Dispatch Center becomes operational; and

Whereas, the Montgomery County Sheriff's Office will begin providing police, fire, and EMS dispatching for Miami Township at 11:30 PM on July 29, 2008 with Montgomery County employees and there will no longer be a need for the position of Communication Specialist; and

Whereas, the Chief of Police has made a recommendation that the position of Communication Specialist be abolished at 11:30 PM on July 29, 2008; and

There fore Be It Resolved, the position of Communication Specialist be abolished at 11:30 PM on July 29, 2008 and that all employees currently serving as Communication Specialists be terminated given all compensation due to them per the Collective Bargaining Agreement.

RESOLUTION #111-2008

RESOLUTION SUPPORTING THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT TO SUBMIT APPLICATION FOR ISSUE 1 FUNDING THROUGH THE OHIO PUBLICS WORKS COMMISSION

Whereas, the Miami Township Board of Trustees has supported the construction of a new interchange connecting the local roadway system at Austin Pike / Miamisburg-Springboro Road and Interstate I-75 and the relocation and improvement of Byers Road as two of its highest priorities; and

Whereas, securing adequate federal and local funding is a necessary component of these projects; and

Whereas, the Ohio Public Works Commission is encouraging local government jurisdictions to submit transportation and other public works projects for consideration of Issue 1 funding; and

Whereas, the Miami Township Board of Trustees and our local government partners, the City of Miamisburg, the City of Springboro, and Montgomery County Transportation Improvement District have committed the necessary resources to support the local cost portion of the projects; and

Whereas, the Miami Township Board of Trustees and our local government partners, the City of Miamisburg, the City of Springboro, and Montgomery County Transportation Improvement District agree that further contributions would be beneficial to the project.

Therefore Be It Resolved, the Miami Township Board of Trustees supports the Executive Director, the Project Director, and the Engineering Director to submit applications to the Ohio Public Works Commission – District 4 or funding for the Byers Road Relocation & Expansion project.

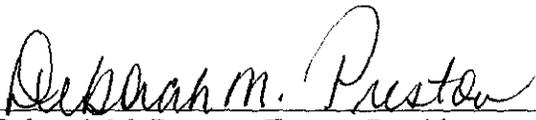
RESOLUTION #112-2008

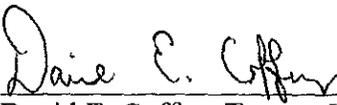
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

Whereas, Sean Woodmansee has been an part-time FF/Medic since October 9, 2007;
and

Whereas, Sean Woodmansee has recently accepted a career FF/Medic position with the
City of Middletown and therefore has decided to resign his part-time
position; and

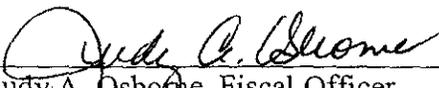
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of
resignation of Sean Woodmansee, and termination of his employment is
effective August 17, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: August 12, 2008
GAH:bph

RESOLUTION #113-2008

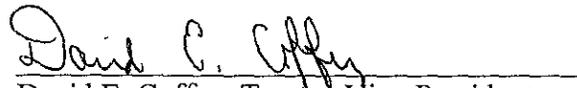
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

Whereas, Keith Tilton has been an part-time FF/EMT since May 27, 2008; and

Whereas, Keith Tilton has decided to resign his part-time position and concentrate on his full-time career responsibilities; and

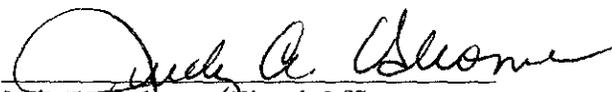
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Keith Tilton, and termination of his employment is effective August 12, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed August 12, 2008
GAH:bph

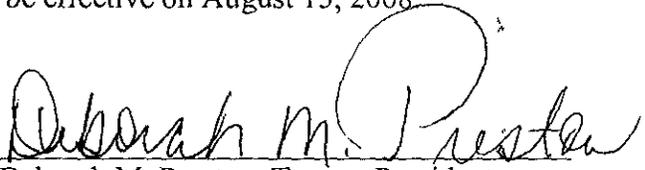
RESOLUTION #114-2008

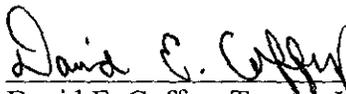
RESOLUTION TO ACCEPT THE RESIGNATION OF A POLICE OFFICER

Whereas, Officer Scott B. Aronoff has been an employee of the Miami Township Police Department since February 24, 2003; and

Whereas, Officer Scott B. Aronoff submitted his resignation letter on August 3, 2008 to terminate his employment with Miami Township on August 15, 2008; and

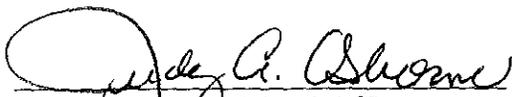
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Officer Scott B. Aronoff to be effective on August 15, 2008


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: August 12, 2008
GAH:bph

RESOLUTION #115-2008

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 2518 Brahms Blvd., Dayton, Ohio, 45449, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on August 12, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on August 12, 2008, beginning at 7:30 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:

2518 Brahms Blvd

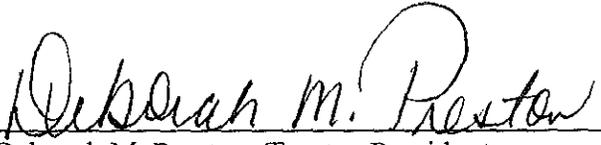
Parcel ID #K47-231-3-23
Kathleen S. Campbell
2518 Brahms Blvd.
Dayton, OH 45449

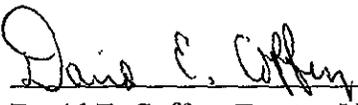
Mortgage Company

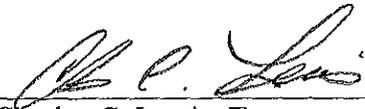
HSBC Mortgage Services, Inc.
c/o Household Financial Services, Inc.
636 Grand Regency Blvd.
Brandon, FL 33510

Michael A. Campbell
2518 Brahms Blvd.
Dayton, OH 45449

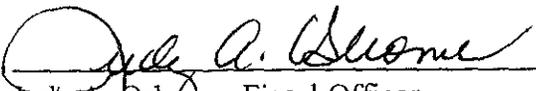
SIGNATURE PAGE FOR RESOLUTION #115-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: Aug 12, 2008
GAH:bph

RESOLUTION #116-2008

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 2245 Ferndown 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 August 12, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on August 12, 2008, beginning at 7:30 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:

2245 Ferndown Dr.

Parcel ID #K45-266-11-15
Jason M. Carlton
2245 Ferndown Dr.
Miamisburg, OH 45342

Angel K. Carlton
3065 Mountville Dr.
Kettering OH 45440

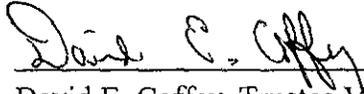
Mortgage Company

Wells Fargo Bank, N.A. As Trustee
For First Franklin Mortgage Loan
Trust 2006-FFH1, Asset-Backed
Certificates, Series 2006-FFH1
c/o Home Loan Services, Inc.
150 Allegheny Center Mall
IDC 24-060
Pittsburgh, PA 15212-5356

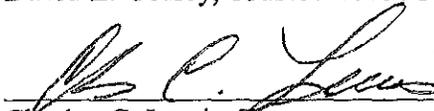
SIGNATURE PAGE FOR RESOLUTION #116-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: August 12, 2008

GAH:bph

RESOLUTION #117-2008

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 August 12, 2008; and
- Whereas** the Miami Township Board of Trustees conducted said public hearing on August 12, 2008, beginning at 7:30 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:

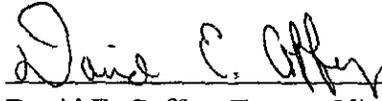
5081 Mays Avenue
Parcel ID #K47-229-13-64
Mike Smith
5081 Mays Ave.
Dayton, OH 45439

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

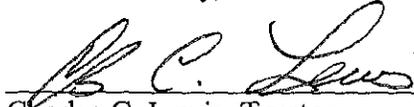
SIGNATURE PAGE FOR RESOLUTION #117-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: August 12, 2008

GAH:bph

RESOLUTION #118-2008

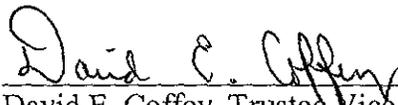
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE
ORDER FOR PROFESSIONAL SERVICES**

- 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 required the professional services of Dr. Franklin D. Wright, Forensic Dentist; 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 \$1,000.00 to pay the order, has been appropriated for the purpose of this order, and is in the treasury, or in the process of collection to the credit of the Police Fund, free of any commitments of encumbrances.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: August 12, 2008
GAH:bph

RESOLUTION #119-2008

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

Whereas, Angela Adams will complete four years of service as a Police Records Clerk I on August 19, 2008; and

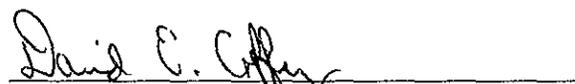
Whereas, a performance evaluation has been completed and Angela Adams has exceeded all performance expectations for her four years on the job; and

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 \$15.55 per hour, effective August 19, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: August 12, 2008
GAH:bph

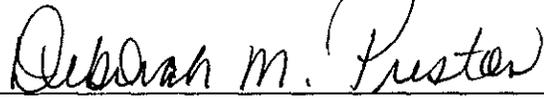
RESOLUTION #120-2008

RESOLUTION TO AUTHORIZE 2008 LONGEVITY PAY

- Whereas,** the Miami Township Board of Trustees approved Resolution 110-2008 approving the abolishment of dispatcher positions; and
- Whereas,** two of the eight positions that were abolished did not receive longevity pay as a result of the abolishment date preceding their respective anniversary dates; and
- Whereas,** Gloria Jean Chapman served Miami Township from September 9, 1989 to July 29, 2008 and Courtney Williams served Miami Township from November 19, 2007 to July 29, 2008; and
- Whereas,** Chief J. Chris Krug is recommending to the Board of Trustees that circumstances warrant that the two employee's services be recognized via payment of the 2008 longevity pay on a prorated basis; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the payment of the 2008 longevity pay as follows:

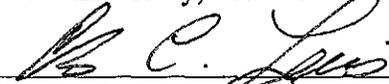
Gloria Jean Chapman	2008 Longevity: \$1,100.00
Courtney Williamson	2008 Longevity: \$30.00



Deborah M. Preston, Trustee President

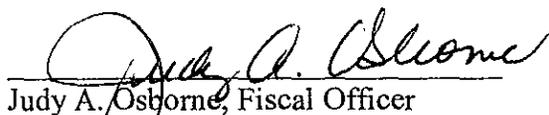


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: August 12, 2008

GAH:bph

RESOLUTION #121-2008

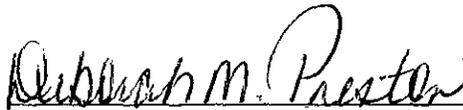
RESOLUTION TO ADOPT A MAJOR MODIFICATION TO A FINAL DEVELOPMENT PLAN FOR ZONING CASE #336-02 and 370-05, FOR LANDS ZONED "PD-1", PLANNED RESIDENTIAL

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, August 26, 2008; and

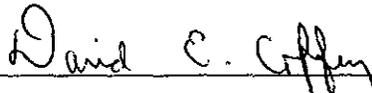
Whereas, Zoning Case #336-02 and 370-05, filed by J.C. Hart Company, Inc., proposes adoption of a major modification to a final development plan for lands zoned "PD-1", Planned Residential; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees approves the Major Modification to the Final Development Plan for Zoning Case #336-02 and 370-05 and upholds the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

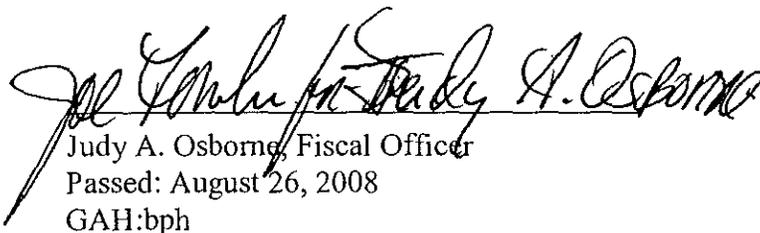


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: August 26, 2008
GAH:bph

RESOLUTION #122-2008

**RESOLUTION TO AUTHORIZE EXPENDITURES FOR
RIGHT-OF-WAY ACQUISITIONS ON THE SPRING VALLEY PIKE,
PHASE V IMPROVEMENTS PROJECT**

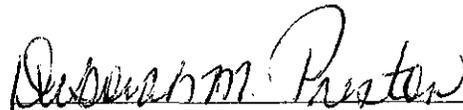
Whereas, Miami Township has entered into an agreement with the Ohio Public Works Commission for the Spring Valley Pike, Phase V Improvements Project; and

Whereas, there are several parcels of property needed for right-of-way acquisition to complete the roadway improvements; and

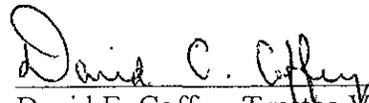
Whereas, Miami Township has contracted Barbara Gray & Associates to serve as the right-of-way acquisition firm for negotiations; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves for payment the purchases necessary for the Spring Valley Pike, Phase V Improvements Project at a total cost not to exceed \$105,270.00; and

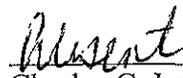
Be It Further Resolved, the Miami Township Administrator is hereby authorized to execute any and all documents necessary to facilitate the property transactions arising from this authorization.



Deborah M. Preston, Trustee President

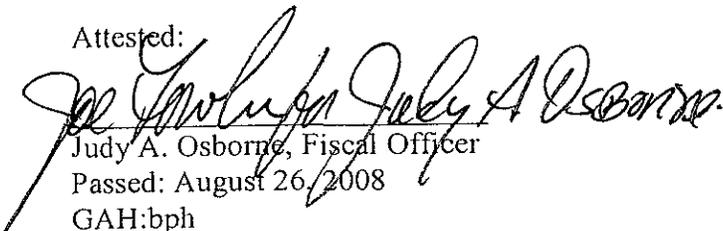


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: August 26, 2008

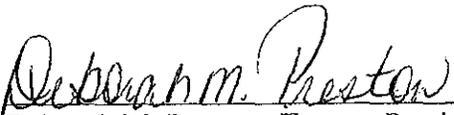
GAH:bph

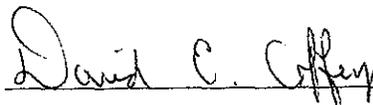
RESOLUTION #123-2008

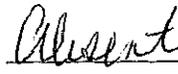
RESOLUTION TO REAPPOINT A MIAMI TOWNSHIP COMMUNITY
IMPROVEMENT CORPORATION BOARD MEMBER

- Whereas,** the Miami Township Board of Trustees approved a Community Improvement Corporation (CIC), with Resolution #73-2006, on March 14, 2006; and
- Whereas,** under the approved Code of Regulation, the Miami Township Board of Trustees is responsible for approving a member to the Miami Township Community Improvement Corporation; and
- Whereas,** Joe Tuss (Montgomery County Economic Development Director) was appointed pursuant to Section (d) of the Miami Township Community Improvement Corporation Code of Regulations, with Resolution #73-2006, on March 14, 2006, to serve an initial term of two (2)-year term, which expired on December 31, 2007; and

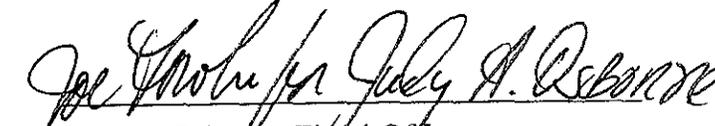
Therefore Be It Resolved, the Miami Township Board of Trustees approves Joe Tuss (Montgomery County Economic Development Director), for a four-year term, which expires December 31, 2011, as required in Section 2 (d) of the Miami Township Community Improvement Corporation Code of Regulations, effective December 31, 2007.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:

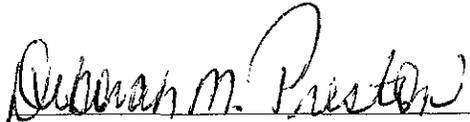

Judy A. Osborne, Fiscal Officer
Passed: August 26, 2008
GSR:sld

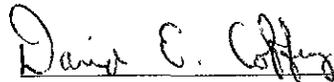
RESOLUTION #124-2008

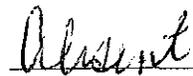
**RESOLUTION TO ACCEPT THE DISABILITY
RETIREMENT OF POLICE OFFICER
MICHAEL J. HUWER**

- Whereas,** Police Officer Michael J. Huwer has served the Miami Township Police Department faithfully and in good stead; and
- Whereas,** Police Officer Michael J. Huwer begin serving Miami Township on July 27, 1988; and
- Whereas,** Police Officer Michael J. Huwer has applied for and been approved for a disability pension through the Ohio Public Employees Retirement System; and

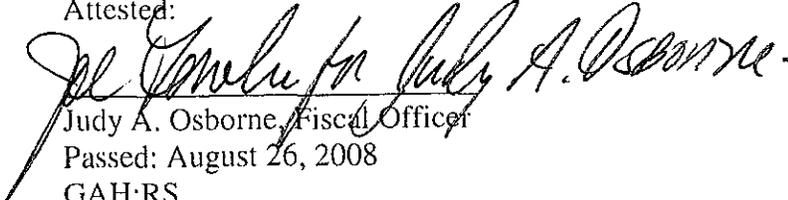
Therefore Be It Resolved, that the Miami Township Board of Trustees accepts the disability retirement of Police Officer Michael J. Huwer and the termination of his employment is effective at the close of business on August 31, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer

Passed: August 26, 2008

GAH:RS

RESOLUTION #125-2008

**RESOLUTION TO ACCEPT THE DISABILITY
RETIREMENT OF POLICE OFFICER
TERRY L. GARRISON**

Whereas, Police Officer Terry L. Garrison has served the Miami Township Police Department faithfully and in good stead; and

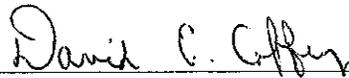
Whereas, Police Officer Terry L. Garrison begin serving Miami Township on August 23, 1989; and

Whereas, Police Officer Terry L. Garrison has applied for and been approved for a disability pension through the Ohio Public Employees Retirement System; and

Therefore Be It Resolved, that the Miami Township Board of Trustees accepts the disability retirement of Police Officer Terry L. Garrison and the termination of his employment is effective at the close of business on August 31, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: August 26, 2008

GAH:RS

RESOLUTION #126-2008

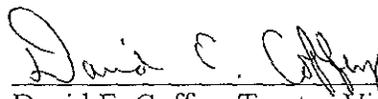
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION
OF FIRE/EMS EMPLOYEE**

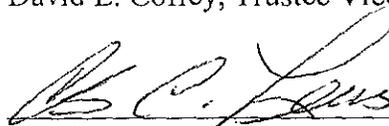
Whereas, Melissa Slack has been a part-time firefighter/paramedic since October 6, 2004; and

Whereas, Melissa Slack has decided to resign her part-time position as a result of professional and family commitments; and

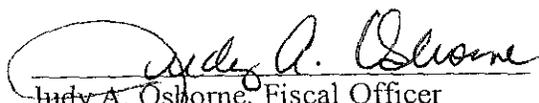
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Melissa Slack, and termination of her employment is effective September 5, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: September 9, 2008
GSR:bph

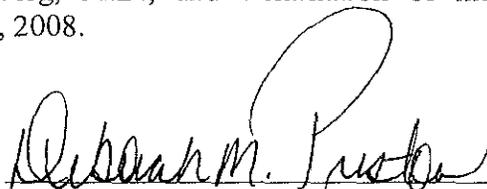
RESOLUTION #127-2008

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

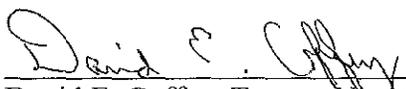
Whereas, Dr. Adam Bromberg, M.D. has been an Assistant Medical Director and Medical Liaison since January 5, 2006; and

Whereas, Dr. Adam Bromberg has decided to resign his part-time position as a result of professional and family commitments; and

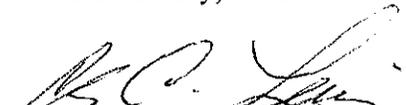
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Dr. Adam Bromberg, M.D., and termination of his employment is effective September 9, 2008.



Deborah M. Preston, Trustee President

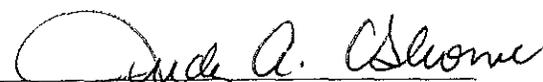


David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: September 9, 2008
GSR:bph

RESOLUTION #128-2008

**RESOLUTION TO DECLARE A POLICE MOTORCYCLE AS
SURPLUS AND TURN THE TITLE AND MOTORCYCLE OVER TO
OUR INSURANCE COMPANY**

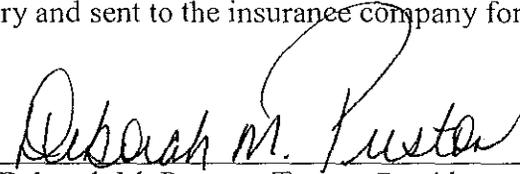
Whereas, the Ohio Revised Code Section 505.10 establishes procedures by which the Township can sell, trade-in, or dispose of Township owned vehicles; and

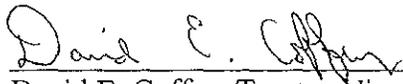
Whereas, regulations are being followed in accordance with the Ohio Revised Code; and

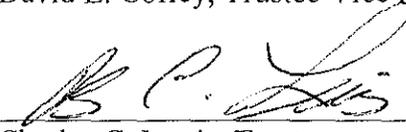
Whereas, the Miami Township Police Department has a 2007 Harley Davidson Motorcycle, Model FLH, VIN 1HD1FMM177Y619394, Title # 5703518056 and this vehicle has been stripped of all useable parts and the rest of the vehicle is no longer needed; and

Whereas, Miami Township has received a settlement check in the amount of \$12,000.00 for the motorcycle and title; and

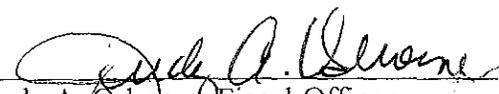
Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10, the Miami Township Board of Trustees declares the above listed vehicle as surplus property and orders the vehicle be removed from the Police Department's inventory and sent to the insurance company for disposal.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed, September 9, 2008
GSR:bph

RESOLUTION #129-2008

**RESOLUTION TO DECLARE CERTAIN POLICE DEPARTMENT
EQUIPMENT SURPLUS AND APPROVE THE DONATION OF THE
SURPLUS PROPERTY TO OTHER GOVERNMENT AGENCIES**

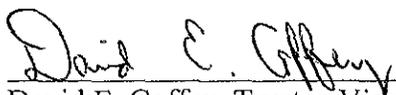
Whereas, the Ohio Revised Code Section 505.10 establishes procedures by which the Township can sell, trade-in, or dispose of Township owned property; and

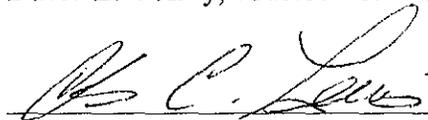
Whereas, regulations are being followed in accordance with the Ohio Revised Code; and

Whereas, the Miami Township Police Department has articles or equipment which are no longer needed, or are broken and/or worn out beyond useful purposes; and

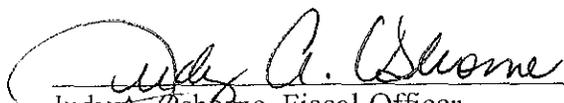
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares the attached list of equipment surplus, orders it removed from the Police Department's inventory, and approves donation of the equipment to the Hamilton County Public Health Department, Security Division and the Preble County Special Deputies Association, as indicated on the attached list, for official use.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:

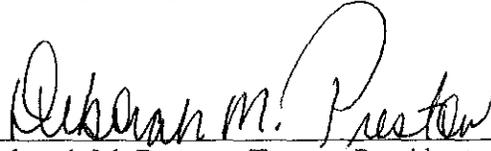

Judy A. Osborne, Fiscal Officer
Passed: September 9, 2008
GSR:bph

RESOLUTION #130-2008

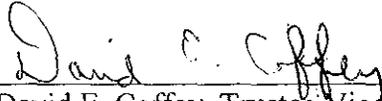
RESOLUTION TO AUTHORIZE A PERFORMANCE BONUS FOR AN ADMINISTRATION EMPLOYEE

- Whereas,** Finance Director Joe Fowler was given the responsibility of preparing significant documentation for the purpose of securing bond financing for the Kingsridge Road Improvement Project; and
- Whereas,** his efforts and ability to articulate Miami Township's financial status contributed significantly to the Township's ability to secure an A1 Bond rating, which will result in a substantial savings for Miami Township in interest payments over the life of the financing; and
- Whereas,** Finance Director Joe Fowler has worked over 250 hours in addition to his normal work schedule; and
- Whereas,** Fiscal Officer Judy A. Osborne recognized the additional duties, responsibilities, time, and effort Joe Fowler committed to the organization during the period of September 1, 2007 to September 5, 2008; and
- Whereas,** Fiscal Officer Judy A. Osborne has made a recommendation to the Board of Trustees to authorize a performance bonus for Finance Director Joe Fowler for his performance during the period of September 1, 2007 through September 5, 2008; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees approves the recommendation of the Fiscal Officer for a performance bonus for Finance Director Joe Fowler, and authorizes the payment of a \$2,500.00 performance bonus.

SIGNATURE PAGE FOR RESOLUTION #130-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: September 9, 2008

GSR:bph

RESOLUTION #131-2008

**RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME
FIREFIGHTER/EMT**

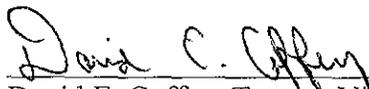
Whereas, there are vacancies to be filled in the Division of Fire & EMS; and

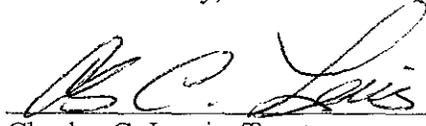
Whereas, Fire Chief David B. Fulmer is making his recommendation to hire the following individual as a part-time person:

Clay DeSantis Grade S-1 \$11.61 / per hour

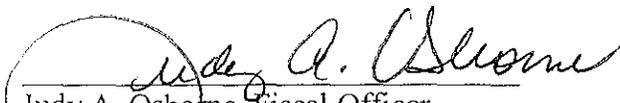
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the hiring of the above individual, with his hiring date to be determined in the Division of Fire & EMS, effective September 9, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: September 9, 2008
GSR:bph

RESOLUTION #132-2008

**RESOLUTION APPROVING THE PURCHASE OF ROAD DE-ICING
SALT FOR THE 2008-2009 WINTER SEASON**

Whereas, there is a need to purchase de-icing salt for the winter of 2008-2009; 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

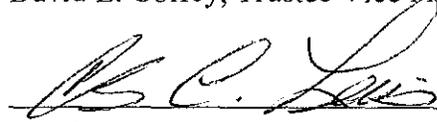
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the only bid from Cargill Inc.-Deicing Technology at \$67.40 per ton dumped at the Miami Township Public Works facility, 8580 Miamisburg-Springboro Pike, Miamisburg, Ohio 45342.



Deborah M. Preston, Trustee President

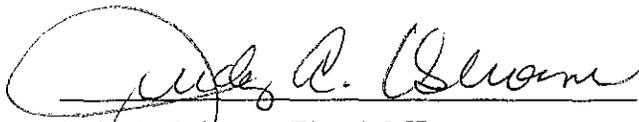


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: September 9, 2008
GSR:bph

RESOLUTION #133-2008

**RESOLUTION TO IMPOSE DISCIPLINE UPON A
FULL TIME PUBLIC WORKS DEPARTMENT EMPLOYEE**

Whereas, a disciplinary hearing was held in Executive Session by the Miami Township Board of Trustees on September 9, 2008, to consider charges brought against Parks Worker Scott Astor; and

Whereas, the Public Works Department, through Director Dan Mayberry brought charges against Scott Astor; and

Whereas, the charges consisted of violations against the following Employee Policy Manual rules and regulations:

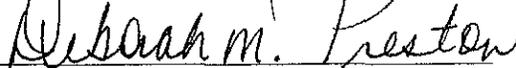
- 1) Insubordination; and
- 2) Failure to Exercise Common Sense and Affirmatively Promoting Our Values; and
- 3) Failure to Cooperate with Employees and Other Officials; and
- 4) Failure to practice Courteous and Respectful Behavior toward Positions of Authority.

Whereas, the Board of Trustees finds Parks Worker Scott Astor guilty of the four above listed charges and is therefore subject to disciplinary measures; and

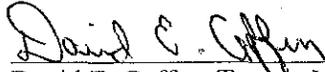
Therefore Be It Resolved, the Board of Trustees requires Parks Worker Scott Astor to serve an unpaid disciplinary suspension of seven (7) eight hour work days without pay; and

Further Be It Resolved, Parks Worker Scott Astor is required to enter into a Last Chance Agreement with Miami Township, and said Last Chance Agreement will be structured such that any future infraction by Scott Astor for insubordination, misuse of township property, and/or cell phone usage qualifies as an infraction of any or all of the above rules and regulations listed here or elsewhere, will result in immediate termination without further discussion; and

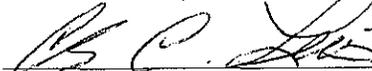
Lastly Be It Resolved, the Board of Trustees directs Gregory A. Hanahan, Township Administrator, to take the necessary actions to carry out the Board of Trustees directives in a timely manner.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: September 9, 2008

GAH:ldg

RESOLUTION #134-2008

**RESOLUTION TO REMOVE SPECIFIC FIRE DEPARTMENT
EQUIPMENT FROM INVENTORY AND DONATE SURPLUS PROPERTY
TO SINCLAIR COMMUNITY COLLEGE**

Whereas, the Ohio Revised Code, Section 5050.10 establishes procedures by which the Township can sell, trade-in or dispose of Township owned articles; and

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

Whereas, the Miami Township Division of Fire & EMS has an inventory of decommissioned structural firefighting personal protective clothing and equipment that is no longer needed; and

Whereas, the Fire Protection Program at Sinclair Community College is in need of such gear and equipment for use in their training academy; and

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


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: September 23, 2008
GSR:bph

RESOLUTION #136-2008

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

Whereas, the Miami Township Division of Fire/EMS is desirous of entering into a lease and maintenance agreement with ProSource for the lease and maintenance of a photo 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, Fire Chief David B. Fulmer is recommending a 5-year lease and maintenance agreement and is satisfied that ProSource will meet the needs of the Division of Fire/EMS and be capable of maintaining the lease equipment; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a 5-year lease and maintenance agreement with ProSource.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:

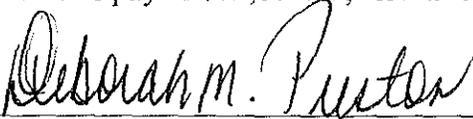


Judy A. Osborne, Fiscal Officer
Passed: September 23, 2008
GAH:bph

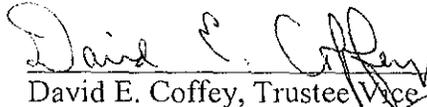
RESOLUTION #137-2008

**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 two (2)-year performance evaluation has been conducted by the 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 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 \$72,865.43, effective October 1, 2008.



Deborah M. Preston, Trustee President

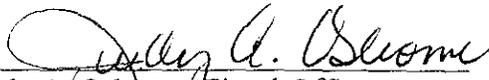


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

RESOLUTION #138-2008

**RESOLUTION TO COOPERATE WITH THE OHIO DEPARTMENT
OF TRANSPORTATION ON SIDEWALKS WITHIN THE RIGHT-OF-
WAY**

Whereas, public interest demands the construction of an ADA-compliant pedestrian sidewalk along State Route 725 situated in the Township of Miami, County of Montgomery, State of Ohio, further described as State Route 725 - S.L.M. 15.51 to S.L.M. 15.70 sidewalks left; and

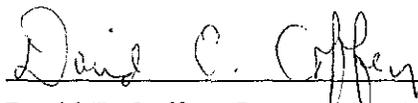
Whereas, the Board of Trustees, of Miami Township, County of Montgomery, Ohio under the provisions of Chapter 5571.02 of the Revised Code of Ohio, does hereby agree to cooperate with the Ohio Department of Transportation, in said improvement in the following ways and extent; and

Whereas, it is recognized by the Ohio Department of Transportation that units of government embrace the policy of providing public sidewalks along some thoroughfares in their domain. It is further recognized, as the policy of the Ohio Department of Transportation, not to construct or permit construction of sidewalks in its right-of-way except when the unit of government involved will accept and assume the responsibility for the maintenance, removal of snow and ice, repair and replacement of said sidewalks at such time as either is required; and

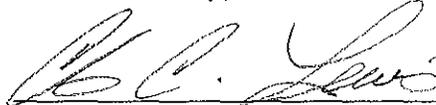
Therefore Be It Resolved, that the Miami Township Board of Trustees do hereby agree to maintain, remove snow and ice, repair and replace such sidewalks as installed by them and others, as described above.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

RESOLUTION #139-2008

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5410 South Union 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 October 14, 2008; and

Whereas the Miami Township Board of Trustees conducted said public hearing on October 14, 2008, 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

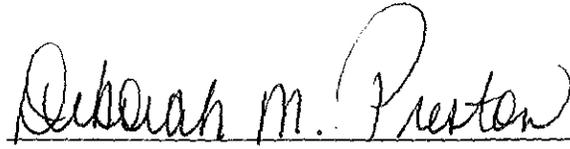
Parcel ID #K45-25-11-80
Thomas E. Thygerson (deceased)
5410 South Union Road
Miamisburg, OH 45342

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

SIGNATURE PAGE FOR RESOLUTION #139-2008 ONLY



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

RESOLUTION #140-2008

RESOLUTION TO CLOSE A TOWNSHIP ROAD

Whereas, there is a need to perform a utilities extension across Kingsridge Drive in Miami Township for the Shoppes at 725 construction project; and

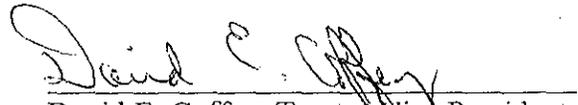
Whereas, the road work will require the roadway to be closed; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees order Kingsridge Drive, between Washington Park Drive and State Route 725, closed for approximately two (2) days to begin on October 16, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

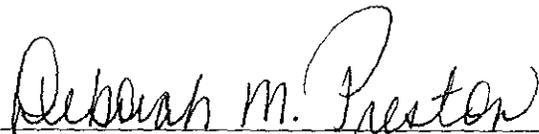
RESOLUTION #141-2008

RESOLUTION TO AMEND RESOLUTION #96-2008, A RESOLUTION THAT AUTHORIZED THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR RIGHT-OF-WAY ACQUISITION SERVICES ON THE SPRING VALLEY PIKE, PHASE V IMPROVEMENTS PROJECT

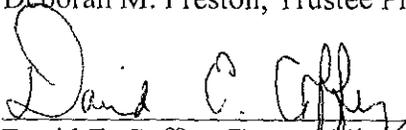
Whereas, on July 8, 2008, the Miami Township Board of Trustees passed Resolution #96-2008, a resolution that authorized the Township Administrator to execute a right-of-way acquisition services agreement with Barbara A. Gray & Associates; and

Whereas, there is a need for Miami Township to increase the \$8,035.00 limit established in Resolution #96-2008 for right-of-way acquisition services to \$10,640.00; and

Therefore be it Resolved, the Miami Township Board of Trustees amends Resolution #96-2008 and authorizes the Township Administrator to execute an agreement with Barbara A. Gray & Associates, 3520 Hackney Drive, Kettering, Ohio, 45420-1030, to serve as right-of-way consultants for the Spring Valley Pike, Phase V Improvements Project at a cost not to exceed \$10,640.00.



Deborah M. Preston, Trustee President

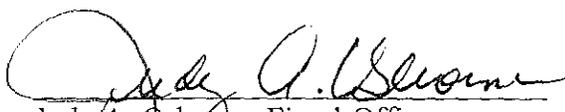


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: October 14, 2008
GAH:bph

RESOLUTION #142-2008

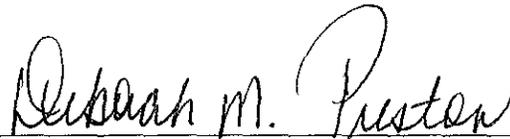
**RESOLUTION TO APPROVE A PAY INCREASE
FOR A DIVISION OF FIRE/EMS EMPLOYEE**

Whereas, Andrea Bailey has successfully served two years as a Fire Administrative Assistant III for the Miami Township Division of Fire & EMS; and

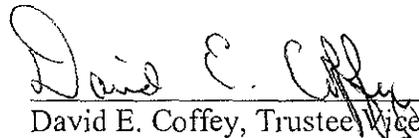
Whereas, Fire Chief David B. Fulmer has recommended a wage increase; and

Whereas, the Miami Township Board of Trustees have reviewed the recommendation of Fire Chief David B. Fulmer; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Andrea Bailey to Step 4, Pay Grade 4, at a rate of \$18.82 per hour effective October 17, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

RESOLUTION #143-2008

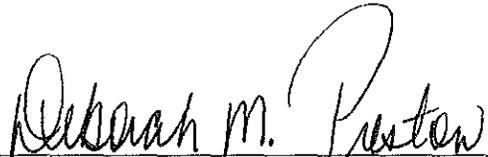
**RESOLUTION TO APPROVE A PAY INCREASE
FOR A DIVISION OF FIRE/EMS EMPLOYEE**

Whereas, Rebekah Biggs has successfully served a six-month introductory period as a Full-time Fire Administrative Assistant I for the Miami Township Division of Fire & EMS; and

Whereas, Fire Chief David B. Fulmer has indicated her successful completion of this introductory period and has recommended a wage increase; and

Whereas, the Miami Township Board of Trustees have reviewed the recommendation of Fire Chief David B. Fulmer; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Rebekah Biggs to Step 3, Pay Grade 7, at a rate of \$13.93 per hour effective October 14, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: October 14, 2008
GAH:bph

RESOLUTION #144-2008

**RESOLUTION OF CONCURRENCE WITH DAYTON CITY
COMMISSION APPOINTMENT TO THE MIAMI TOWNSHIP -DAYTON
JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD)**

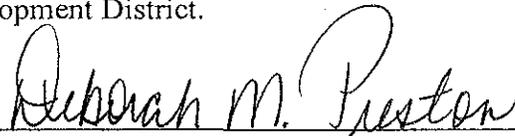
Whereas, the City of Dayton and the Township of Miami, entered into a Joint Economic Development District (JEDD) contract on July 12, 2005; and

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

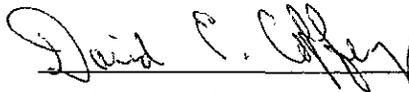
Whereas, Miami Township is required, by contract, to concur with appointees by the Dayton City Commission; and

Whereas, the Dayton City Commission appointed Timothy S. Downs to the Miami Township-Dayton Joint Economic Development District to represent the City of Dayton; and

Therefore Be It Resolved, the Miami Township Board of Trustees concurs with the Dayton City Commission's appointment of Timothy S. Downs to the Miami Township-Dayton Joint Economic Development District.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: October 14, 2008

GAH:bph

RESOLUTION #145-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT FOR BIDDING AND
CONSTRUCTION ENGINEERING/ADMINISTRATIVE 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

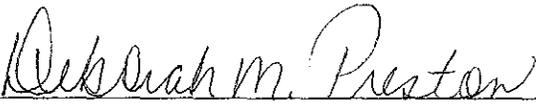
Whereas, the Public Works Department has a need to utilize professional bidding and construction engineering/administrative services to prepare bidding documents and associated administrative functions necessary for the Spring Valley Pike project; and

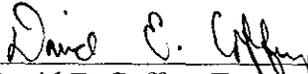
Whereas, the County Engineer has selected Northwest Consultants, Inc. (NCI) for the engineering consultant at the request of Miami Township through Resolution #64-2007; and

Whereas, NCI has provided a detailed cost proposal for services that has been reviewed by the Public Works Director and he is giving his recommendation; and

Therefore be it Resolved, the Board of Trustees authorizes the Township Administrator to execute an agreement with Northwest Consultants Inc., 1167-E Lyons Road, Centerville, Ohio 45458, to provide bidding and construction engineering/administrative services for the Spring Valley Pike, Phase V Improvements Project to be billed at a rate of \$130.00 per hour with an estimated total cost of \$39,450.00.

SIGNATURE PAGE FOR RESOLUTION #145-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: October 28, 2008
GAH:bph

RESOLUTION #146-2008

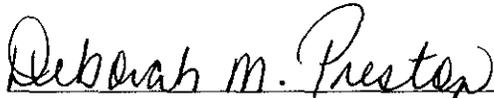
**RESOLUTION TO DECLARE CERTAIN TOWNSHIP EQUIPMENT
TO BE DISPOSED OF AS SURPLUS PROPERTY**

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

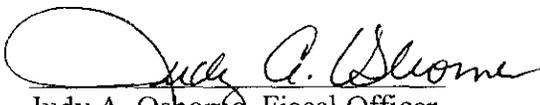
Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10, the Miami Township Board of Trustees declares the attached four (4) lists of Township-owned property to be disposed of at auction, or by other means in accordance to the Ohio Revised Code, and be removed from the Township's inventory.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

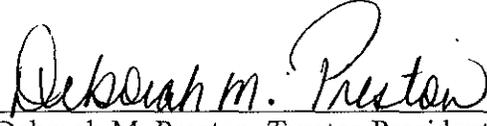
Attested:

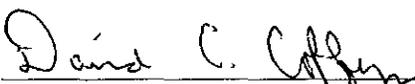

Judy A. Osborne, Fiscal Officer
Passed: November 10, 2008
GSR:bph

RESOLUTION #147-2008

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A RENTAL SERVICE AGREEMENT WITH CINTAS**

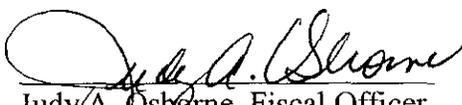
- Whereas,** Miami Township has a need for uniform, towel and floor mat rental services within the Public Works Department; and
- Whereas,** Cintas is both experienced and qualified to provide this rental service, which includes pickup, cleaning and delivery of floor mats, shop towels and uniforms, on a weekly basis; and
- Whereas,** the agreement shall be in effect for 12 consecutive months, until December 31, 2009, and the agreement will automatically be renewed for the same time period, unless written notice not to renew is supplied 60 days in advance; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator, to enter into an agreement with Cintas for uniform, towels and floor mat rental services, effective immediately.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed November 10, 2008
GSR:bph

RESOLUTION #148-2008

**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**

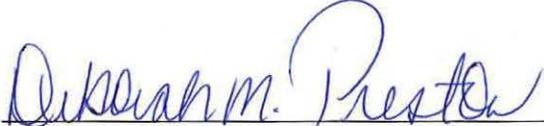
Whereas, the City of Dayton (Lead Agency) and the Miami Township Board of Trustees desire to enter into an agreement to allow the Miami Township Police Department to participate in the OVI Countywide Task Force and receive reimbursement for overtime hours worked plus benefits; and

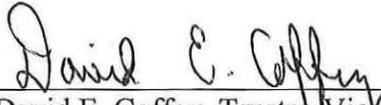
Whereas, Miami Township is authorized by the Ohio Revised Code to enter into contractual agreements with other governmental agencies for the purpose of creating task force solutions to community problems and receiving reimbursement from grants for actual expenses incurred while participating in the task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

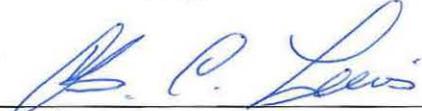
Whereas, the Chief of Police is satisfied that participation in the OVI Countywide Task Force is in the best interest of the Miami Township Police Department and the citizens of Miami Township and Montgomery County; and

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 1, 2008 (agreement attached).

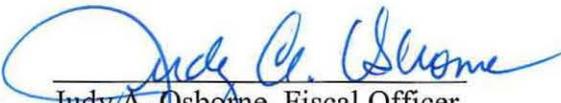
SIGNATURE PAGE FOR RESOLUTION #148-2008 ONLY


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: November 10, 2008
GSR:bph

RESOLUTION #149-2008

**RESOLUTION TO AUTHORIZE THE EXECUTION AND
DELIVERY OF A SETTLEMENT AND RELEASE AGREEMENT
BETWEEN MIAMI TOWNSHIP AND THE MONTGOMERY
COUNTY TRANSPORTATION IMPROVEMENT DISTRICT
(TID)**

WHEREAS, the Montgomery County Transportation Improvement District is responsible for securing all right-of-way necessary for the construction as part of the Austin Road Interchange Project; and

WHEREAS, Miami Township is the owner of real estate that includes right-of-way necessary for the construction of the Austin Road Interchange Project; and

WHEREAS, the TID 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 the Austin Road Interchange; and

WHEREAS, appropriation of Miami Township owned real estate is necessary to maintain the established construction schedule for the Austin Road Interchange Project; and

WHEREAS, the TID 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

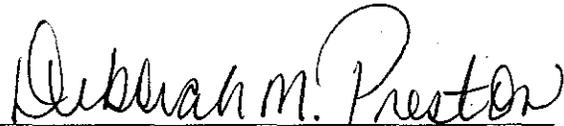
NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Miami Township, Montgomery County, Ohio, that:

Section 1. The Board authorizes the sale to the Montgomery County Transportation Improvement District (TID) real estate necessary for construction right-of-way necessary for construction of the Austin Road Interchange Project. The right-of-way is defined in the interchange construction drawings and the Uniform Act Appraisal performed by ME Companies and attached as Exhibit B to this resolution.

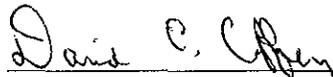
Section 2. Authorization for Execution and Delivery of the Project Development Agreement. The Board of Trustees of the Township hereby authorizes and directs the Township Administrator, to execute and deliver for and on behalf of the Township Settlement Agreement and Release as well as all other documents 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



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: November 10, 2008

GAH:bph

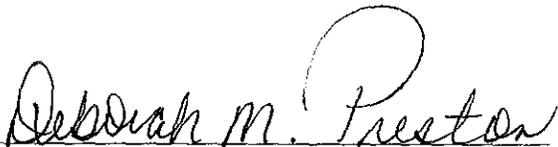
RESOLUTION #150-2008

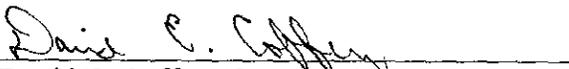
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION OF
FIRE/EMS EMPLOYEE**

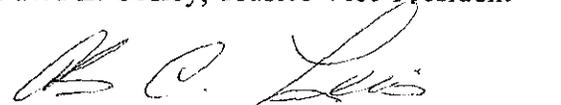
Whereas, Josh Myers has been an part-time FF/EMT since June 9, 2008; and

Whereas, Josh Myers has decided to resign his part-time position as a result of increasing personal commitments; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Josh Myers, and termination of his employment is effective November 22, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: November 25, 2008
GSR:bph

RESOLUTION #151-2008

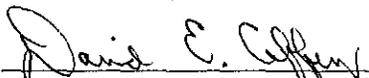
**RESOLUTION TO ACCEPT RESIGNATION OF A DIVISION OF
FIRE/EMS EMPLOYEE**

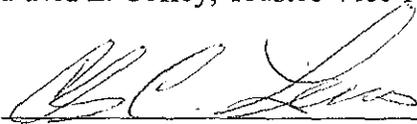
Whereas, Fred Wilson has been an part-time FF/EMT since October 6, 2004; and

Whereas, Fred Wilson has decided to resign his part-time position as a result of increasing career and family commitments; and

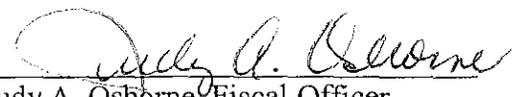
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Fred Wilson, and termination of his employment is effective November 30, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: November 25, 2008
GSR:bph

RESOLUTION #152-2008

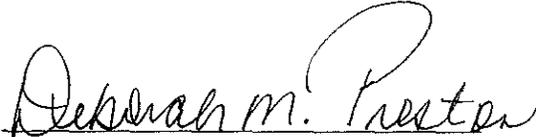
**RESOLUTION TO APPROVE A PAY INCREASE FOR
A PARKS SUPERVISOR**

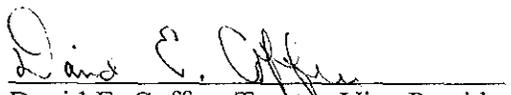
Whereas, Rex Gore has successfully served two (2) years as Parks Supervisor for the Public Works Department; and

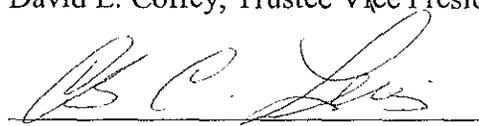
Whereas, a performance evaluation has been conducted by the Public Works Director, and an evaluation and recommendation has been completed; and

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

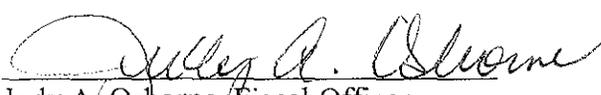
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Rex Gore, Pay Grade E, to an annual rate of pay of \$56,178.64, effective November 28, 2008.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: November 25, 2008
GSR:bph

RESOLUTION #153-2008

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH MIAMI TOWNSHIP, MIAMISBURG, SPRINGBORO, THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, MONTGOMERY COUNTY, AND RG PROPERTIES FOR THE DEVELOPMENT OF THE AUSTIN CENTER AREA IN CONJUNCTION WITH THE CONSTRUCTION OF THE AUSTIN INTERCHANGE AND RELATED LOCAL ROADWAYS

WHEREAS, the Board of Trustees of Miami Township has previously agreed to participate with Miamisburg, Springboro, the Montgomery County Transportation Improvement District, (TID) and Montgomery County in the preparation and management of an Austin Interchange Land Use and Development Plan (the "Plan"); and

WHEREAS, the development of property owned or otherwise controlled by RG Properties in the immediate vicinity of the Austin Interchange subject to the Plan is key to successful development of the entire Austin Center area and to long term economic development of the region; and

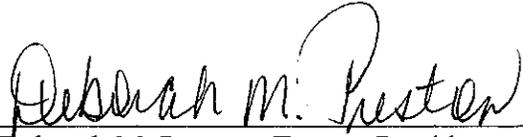
WHEREAS, RG Properties has, as a result of a previous agreement with the TID, agreed to prepare a master plan for the development of the property in the Austin Center area that it controls or owns (the "RG Property"); and

WHEREAS, the staff of Miami Township, Miamisburg, Springboro, the Montgomery County TID and Montgomery County have reviewed a conceptual plan prepared by RG Properties for the development of the RG Property and recommended that a memorandum of understanding be executed with RG Properties that will (A) endorse that conceptual plan, (B) enumerate the understanding and agreement of all parties concerning the development of the RG Property and (C) outline further tasks and agreements to be addressed by the parties; and

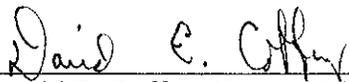
WHEREAS, the Township Administrator is recommending the Board of Trustees approve the Memorandum of Understanding.

NOW THEREFORE BE IT RESOLVED, the Miami Township Board of Trustees approves the attached Memorandum of Understanding with Miamisburg, Springboro, the Montgomery County TID, Montgomery County, and RG Properties governing the development of property owned or otherwise controlled by RG Properties in the Austin Center area in the vicinity of the Austin Interchange and related local roadways be and is hereby approved effective immediately.

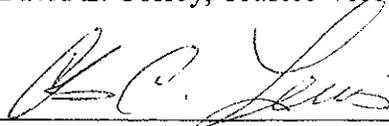
BE IT FURTHER RESOLVED by the Board that copies of this resolution be provided to
Miamisburg, Springboro, the Montgomery County TID, Montgomery County,
and RG Properties.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: November 25, 2008
GSR:bph

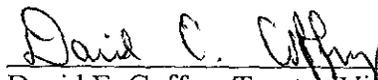
RESOLUTION #154-2008

**RESOLUTION TO DECLARE COMMUNICATION CENTER
PROPERTY AS SURPLUS AND AUTHORIZE THE SALE OF SAID
PROPERTY TO MONTGOMERY COUNTY**

- Whereas,** the Ohio Revised Code Section 505.10 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles; and
- Whereas,** regulations are being followed in accordance with the Ohio Revised Code; and
- Whereas,** Miami Township has abolished its public safety Communication Center and has communication equipment which is no longer needed; and
- Whereas,** Montgomery County wishes to purchase the communication equipment listed on the attachment to this resolution for use in its backup Communication Center for a price of \$97,000.00; and

Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10 that the Miami Township Board of Trustees declares the attached list of communication equipment be sold to Montgomery County for \$97,000.00.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice-President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: December 9, 2008
GAH:bph

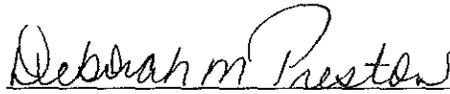
RESOLUTION #155-2008

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

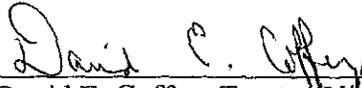
Whereas, Brian Petry has been an part-time FF/Paramedic since October 9, 2007; and

Whereas, Brian Petry has decided to resign his part-time position as a result of increasing family commitments; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Brian Petry, and termination of his employment is effective December 17, 2008.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: December 9, 2008

GAH:bph

RESOLUTION #156-2008

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

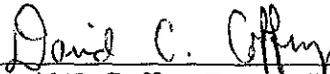
Whereas, Josh Musser has been an part-time FF/EMT since June 9, 2008; and

Whereas, Josh Musser has decided to resign his part-time position as a result for personal reasons; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation of Josh Musser, and termination of his employment is effective November 22, 2008.



Deborah M. Preston, Trustee President

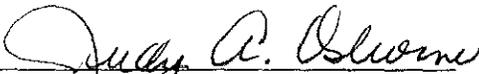


David E. Coffey, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: December 9, 2008

GAH:bph

RESOLUTION #157-2008

**RESOLUTION TO AUTHORIZE A COST OF LIVING ADJUSTMENT
(COLA) TO NON-UNION EMPLOYEES**

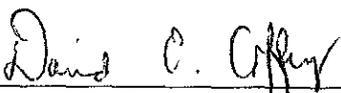
Whereas, each year the Board of Trustees review the Pay Schedule for full time and part time, regular, non-union personnel; and

Whereas, the Board of Trustees may consider a cost-of-living adjustment (COLA) to these employees to ensure employee retention and parity with union personnel; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves, for all non-union and full time and part time employees a three percent (3%) COLA, effective on January 1, 2009; and

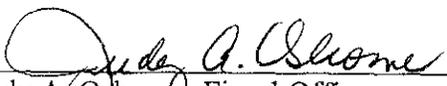
Be It Further Resolved, the Miami Township Board of Trustees directs the Human Resources Director and Finance Director to make the respective changes to the Pay Schedule, adjusting respective position ranges to ensure continued parity and labor market wage competitiveness.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: December 9, 2008
GAH:bph

RESOLUTION #158-2008

**RESOLUTION TO REQUEST TAX ADVANCES FROM THE
MONTGOMERY COUNTY AUDITOR IN FISCAL YEAR 2009**

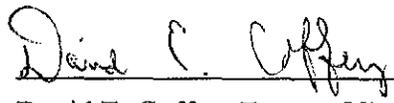
Whereas, the Ohio Revised Code allows advancement of payments on taxes; and

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

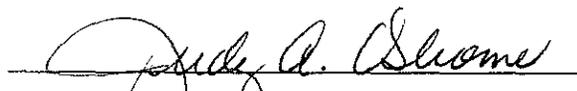
Therefore Be It Resolved, the Miami Township Board of Trustees requests the Montgomery County Auditor pay monthly advances to Miami Township of collected taxes during 2009.


Deborah M. Preston Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed: December 9, 2008
GAH:bph

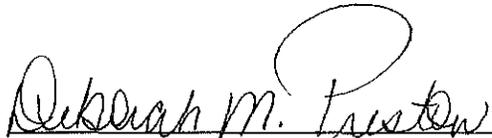
RESOLUTION #159-2008

**RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS
FOR 2009 EXPENSES OF ELECTED OFFICIALS**

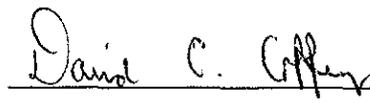
Whereas, it is in the best interest of Miami Township for the Board of Trustees and the Fiscal Officer to attend seminars, conferences and educational meetings throughout calendar year 2009; and

Whereas, it is important that the elected officials participate and gain knowledge pertaining to township government and its governing powers; and

Therefore Be It Resolved, the Miami Township Board of Trustees, Montgomery County, Ohio, provides for the current expenses and other expenditures of the said Board of Trustees and Fiscal Officer, during the fiscal year ending 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: December 9, 2008
GAH:bph

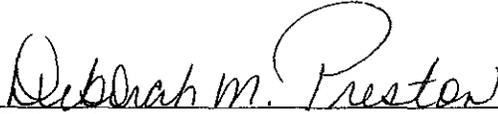
RESOLUTION #160-2008

**RESOLUTION TO AUTHORIZE CONTINUED OPERATIONS
FOR CALENDAR YEAR 2009**

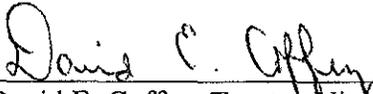
Whereas, the day-to-day operations of the Township government functioned well in 2008 with dedicated and conscientious employees whose purpose was to provide the best possible services to the residents, businesses, and visitors in Miami Township; and

Whereas, all departments: Administration, Finance, Fire, Human Resources, Police, Public Works, and Zoning offices are functioning in a responsive, organized and efficient manner under the direction of the Township Administrator and the Department Heads; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes continued operations for all departments to operate under the enacted management program for calendar year 2009.



Deborah M. Preston, Trustee President

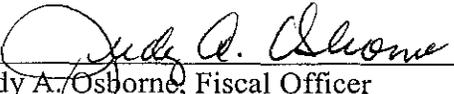


David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Judy A. Osborne, Fiscal Officer
Passed: December 9, 2008
GAH:bph

RESOLUTION #161-2008

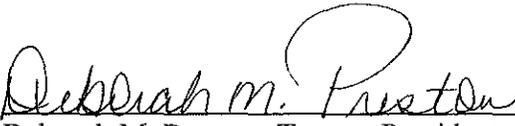
**RESOLUTION TO REAPPOINT A
BOARD OF ZONING APPEALS MEMBER**

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

Whereas, Michael Pothast's term of office expires December 31, 2008; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Michael Pothast to serve on the Board of Zoning Appeals for a term of five (5) years ending on December 31, 2013.



Deborah M. Preston, Trustee President



David E. Coffey, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



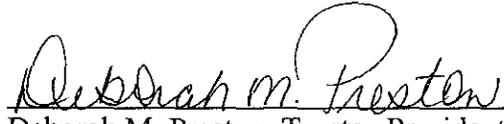
Judy A. Osborne, Fiscal Officer
Passed: December 9, 2008
GAH:bph

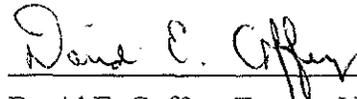
RESOLUTION #162-2008

RESOLUTION TO REAPPOINT A ZONING COMMISSION MEMBER

- Whereas, the Zoning Commission is made up of five members and one alternate; and
- Whereas, Karen Kreusch's term of office expires December 31, 2008; and
- Whereas, Ms. Kreusch has expressed a desire to continue to serve on the commission; and

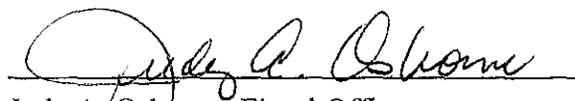
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Karen Kreusch to serve on the Zoning Commission for a term of five (5) years ending on December 31, 2013.


Deborah M. Preston, Trustee President


David E. Coffey, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Judy A. Osborne, Fiscal Officer
Passed December 9, 2008
GAH:bph

RESOLUTION #163-2008

RESOLUTION TO REAPPOINT A ZONING COMMISSION MEMBER

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

Whereas, Eric Halter's term of office expires December 31, 2008; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Eric Halter to serve on the Zoning Commission as an alternate member for a term of one (1) year ending on 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: December 9, 2008
GAH:bph

RESOLUTION #164-2008

RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR 800 MHZ RADIO SERVICE IN THE PLANNING & ZONING DEPARTMENT

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

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

Whereas, Miami Township Planning and Zoning Department has 800 MHZ radios that require an access charge from Montgomery County; and

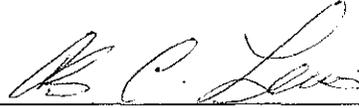
Whereas, the 2008 charge was increased to \$511.68 without the Planning & Zoning Departments knowledge, exceeding the Township PO requirement of \$500.00; and

Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and the date of the execution of the order, the amount of \$511.68 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 Planning & Zoning General Fund, free of any commitments or encumbrances.

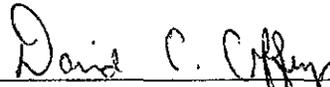
SIGNATURE PAGE FOR RESOLUTION #164-2008 ONLY



Deborah M. Preston, Trustee

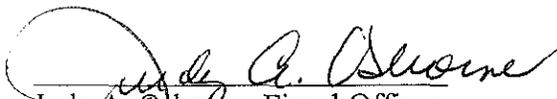


Charles C. Lewis, Trustee



David E. Coffey, Trustee

Attested:



Judy A. Osborne, Fiscal Officer

Passed: December 9, 2008

GAH:bph

RESOLUTION #165-2008

**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 2009, 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.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #166-2008

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

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

Whereas, effective December 3, 2008, the alternate member of the Miami Township
Board of Zoning Appeals resigned; and

Whereas, the Assistant Planning & Zoning Director is making a recommendation; and

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

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #167-2008

**RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS
FOR 2009 FOOD AND REFRESHMENT EXPENSES**

Whereas, it is in the best interest of Miami Township to expend funds to purchase food and/or refreshments for various meetings and events; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the purchase of food and/or refreshments for meetings and events for the fiscal year ending December 31, 2009.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer
Passed: December 23, 2008
GSR:bph

RESOLUTION #168-2008

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

Whereas, Paul Andrix 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 PT10 A; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a wage increase for Paul Andrix to Step 3, Pay Grade PT10 A, at a rate of \$14.31 per hour, effective December 14, 2008.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #169-2008

RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF FUNDS FOR 2008

Whereas, the annual appropriations for 2008 are to provide for expenditures during fiscal year ending December 31, 2008; 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 2008, and forwards the attached copy to the Montgomery County Auditor.

absent

Deborah M. Preston Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed December 23, 2008

GSR:bph

RESOLUTION #171-2008

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$14,250,000, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, OHIO DEPARTMENT OF TRANSPORTATION, MIAMI TOWNSHIP, AND THE CITIES OF MIAMISBURG AND SPRINGBORO, OHIO OF CONSTRUCTING AN INTERCHANGE ON INTERSTATE 75 AT THE INTERSECTION WITH SPRINGBORO ROAD/AUSTIN PIKE, AND CONSTRUCTING RELATED SURFACE STREET PROJECTS, INCLUDING BYERS ROAD, AUSTIN PIKE AND SPRINGBORO ROAD, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, RELOCATING AND INSTALLING UTILITIES, CONSTRUCTING SIDEWALKS AND BIKEWAYS, INSTALLING TRAFFIC SIGNALIZATION, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO. AND AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A LOCAL PROJECT AGREEMENT, NOTE PURCHASE AGREEMENT AND NOTE REGISTRAR AGREEMENT

Whereas, this Board desires 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 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 515.13 of Am. Sub. H.B. 66 of the 126th General Assembly ("*Section 515.13*"); and

Whereas, Section 515.13 provides that once an agreement authorized by Section 515.13 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, the Fiscal Officer has certified to this Board that the estimated life or period of usefulness of the Project described in Section 1 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;

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

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 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 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 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 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 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 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 Notes or the principal of and interest on the Notes, and to effect transfers of the 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 Notes.

"Fiscal Officer" means the Fiscal Officer of the Township.

"Maturity Date" means the date which is twelve (12) 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 Notes, establish a Maturity Date that is prior to twelve (12) months following the Closing Date by setting forth that Maturity Date in the Certificate of Award.

"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 Notes, that provide collectively for, among other things, the rights of holders and the beneficial owners of the 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 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 4.

"Notes" means the Notes authorized by this Resolution and designated as such in the Certificate of Award.

"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.

"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 \$14,250,000 (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 January 1, 2010, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 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 Notes; Principal Amount and Purpose; Application of Proceeds. It is necessary to issue and this Board determines that Notes in the maximum principal amount of \$14,250,000 shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 2. The principal amount of 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 pay the costs of the Project and any financing costs. The Notes shall be issued pursuant to the Act, this Resolution and the Certificate of Award. The Notes shall be subject to optional redemption prior to maturity as set forth in the Certificate of Award. Said notes shall only be issued in Authorized Denominations, which shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. This Board hereby covenants that it will not exchange or reissue the notes in less than Authorized Denominations other than through a "primary offering" as that term is defined in SEC Rule 15c2-12

The proceeds from the sale of the Notes received or deemed constructively received, as described in the Cooperative Agreement, by the Township, except any premium and accrued interest, are hereby appropriated and shall be immediately used in accordance with the Cooperative Agreement to pay the costs of the Project and to pay those costs of issuance of the Notes specified in the Certificate of Award, which expenditures are hereby determined to be costs of the Project as defined in the Act and this Resolution. The District, as Original Purchaser, shall deposit the proceeds of the sale on behalf of the Township, pursuant to the Cooperative Agreement, in accordance with the Note Purchase Agreement by and among the District, the Township, Miamisburg and Springboro (the "Note Purchase Agreement") (i) to the Township to pay certain costs of the Project, and (ii) to the Ohio Department of Transportation to pay costs of the Project which expenditures are hereby determined to be costs of a Project as defined in Chapter 5540 of the Ohio Revised Code and this Resolution. The deposit of proceeds to the Ohio Department of Transportation shall be deemed a proper fund for purposes of the deposit of proceeds pursuant to this Resolution.

Section 4. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Notes shall be issued in one lot and only as fully registered securities, in

Authorized Denominations. The 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 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 Notes shall bear the same rates of interest as the District Notes. Interest on the Notes shall be payable at such rate or rates at maturity and until the principal amount has been paid or provided for. The 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 Schedule. The 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 Notes determined by taking into account the principal amount of the Notes and terms to maturity shall not exceed 6.00% per year.

(d) Payment of Debt Service Charges. The debt service charges on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and any premium on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(e) Redemption Provisions. . The Notes may be subject to optional redemption prior to maturity as determined by the Fiscal Officer in the Certificate of Award.

Any notice of the call for redemption of Notes shall identify (i) by designation, letters, numbers or other distinguishing marks, the 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 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 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 Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the 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 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 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 Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes, 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 Notes called for redemption.

(f) Note Provisions to be Consistent with District Notes. The provisions of the 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 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 Notes; Appointment of Note Registrar. The 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 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 Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Note proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Notes.

Section 6. Registration; Transfer and Exchange.

(a) Note Register. So long as any of the 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 Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the Note service charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Note may be exchanged for Notes of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the

exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings as the Notes surrendered upon that exchange or transfer. Neither the Township nor the Note Registrar shall be required to make any exchange or transfer of (i) Notes then subject to call for redemption between the 15th day preceding the mailing of notice of 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 Notes may be issued in book entry form in accordance with the following provisions of this Section.

The 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 Notes may be issued in the form of a single, fully registered 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 Notes in book entry form shall not have any right to receive Notes in the form of physical securities or certificates; (iii) ownership of book entry interests in 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 Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, 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 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 Notes.

Section 7. Sale of the Notes to the Original Purchaser. It is determined to be in the best interest of the Township that the 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 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 Notes to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the 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 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 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 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 Notes and, to the extent possible, the District Notes in such manner and to such extent as may be necessary so that (a) the Notes and the District Notes will not (i) constitute private activity Notes, arbitrage Notes or hedge Notes 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 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 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 Notes, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes 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 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 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 Notes and the District Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the 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 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 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 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 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. Project Management and Financing Agreement. The Local Project Agreement among the District, ODOT, the Township, Miamisburg and Springboro, providing generally for the facilitation of the financing and construction of the Project, 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 Administrator on behalf of the Township all of which shall be conclusively evidenced by the signing of the Local Project Agreement or amendments thereto.

Section 12. Supplement to Cooperative Agreement. The Supplement to Cooperative Agreement among the Township, the District, Miamisburg and Springboro, providing generally for the issuance of the Notes to facilitate the financing and construction of the Project, is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the District and that are approved by the Administrator on behalf of the District with the concurrence of the District’s General Counsel, all of which shall be conclusively evidenced by the signing of the Supplement to Cooperative Agreement or amendments thereto.

Section 13. Note Counsel. The law firm of Calfee, Halter & Griswold LLP is hereby appointed to provide Note counsel services in connection with the issuance of the Notes. The costs of those services shall be paid from the proceeds of the Notes.

Section 14. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 15. 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 16. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #172-2008

**RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT, ON BEHALF OF
MIAMI TOWNSHIP TO APPROVE AND ENTER INTO A FINAL
LEGISLATION AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE CONSTRUCTION OF THE PHASE 1
AUSTIN INTERCHANGE PROJECT (ODOT PID # 77246)**

- Whereas,** the Montgomery County Transportation Improvement District (TID) and the Ohio Department of Transportation (ODOT) on May 10, 2004 entered into a Preliminary Legislation Agreement for the development of a new interchange at the intersection of Interstate 75 and Miamisburg-Springboro Pike along with required local roadway improvements (the Austin Interchange Project); and
- Whereas,** the TID, the City of Miamisburg, Miami Township, and the City of Springboro subsequently entered into a Cooperative Financing Agreement in 2005, as amended in 2008, (the Cooperative Agreement) to, among other things, finance the local share of the Austin Interchange Project and related local roadway projects; and
- Whereas,** under the terms of the Cooperative Agreement, on behalf of all the local governments, the TID has the primary responsibility for working with ODOT to finance and complete the Austin Interchange Project; and
- Whereas,** ODOT is now prepared to proceed with the construction of Phase 1 of the Austin Interchange Project (ODOT PID # 77246) and has requested that the TID enter into a Final Legislation Agreement that specifies the rights and responsibilities of the parties in regard to the construction and completion of the Austin Interchange Project; and
- Whereas,** Miami Township desires that construction of Phase 1 of the Austin Interchange Project be initiated as planned in accordance with the Cooperative Financing Agreement and the TID continue to exercise primary responsibility for working with ODOT to that end; and
- Therefore Be It Resolved,** by the Miami Township Board of Trustees that the Montgomery County Transportation Improvement District be and is hereby authorized to approve and enter into the attached Final Legislation Agreement provided by the Ohio Department of Transportation; and
- Be It Further Resolved,** by the Miami Township Board of Trustees that that the Executive Director of the TID be and is hereby authorized to take such actions as are

necessary to enter into the Final Legislation Agreement with ODOT, including after consulting with the Township Administrator, negotiating changes to the terms of the Agreement not detrimental to the TID or Miami Township; and

Be It Further Resolved, copies of this resolution be provided to the TID, ODOT, and all additional parties to the Cooperative Financing Agreement.

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #173-2008

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, 2009, through December 31, 2009, 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 3% increase and be 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, 2009.

SIGNATURE PAGE FOR RESOLUTION #173-2008 ONLY

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne

Judy A. Osborne, Fiscal Officer

Passed: December 23, 2008

GSR:bph

RESOLUTION #173-2008

"EXHIBIT A"

RESOLUTION #173-2008

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, 2009, through December 31, 2009, 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 3% increase and be 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, 2009.

SIGNATURE PAGE FOR RESOLUTION #173-2008 ONLY

absent

Deborah M. Preston, Trustee President

David E. Coffey

David E. Coffey, Trustee Vice President

Charles C. Lewis

Charles C. Lewis, Trustee

Attested:

Judy A. Osborne
Judy A. Osborne, Fiscal Officer
Passed December 23, 2008
GSR:bpl

RESOLUTION #173-2008

"EXHIBIT A"