



**Regular Meeting of the Board of Trustees
November 14, 2017**

- 1. Opening of Meeting**
- 2. Pledge of Allegiance 6:00 PM**
- 3. Meditation (Moment of Silence)**
- 4. Public Hearings**
 - a. Second Public Hearing on 2018-2020 Community Development
Block Grant Application
- 5. Citizens Address**
- 6. Administrative Reports**
- 7. Trustees' Report**
- 8. New Business**
 - Public Safety**
 - a. Acceptance of Donation (Fire).....Action
 - b. Request Personnel Hire of Third Shift Clerk(Police).....Action
 - Planning and Zoning**
 - a. Approval of Resolution Declaring Nuisance and Ordering Abatement.....Action
 - b. Approval of Resolution Authorizing the Disposal of Equipment.....Action
 - c. Request for Public Hearing for Zoning Map Ammendment
8440 Livingston Road.....Action
 - Administration – Economic Development**
 - a. Approval of Bond Resolution for Colerain Town Center TIF Bonds.....Action
 - Administration**
 - a. Request Personnel Rehire of Administrative Assistant.....Action
- 9. Fiscal Office – Approval of Minutes**
- 10. Executive Session - if needed**
- 11. Adjournment**

Resolution 47-17

COLERAIN

NEW BUSINESS

Department: Colerain Township Department of Fire & Emergency Medical Services

Department Head: Frank Cook, Chief of Department

Colerain Township Department of Fire and Emergency Medical Services

- a. Monetary Donation Acceptance
Recommend acceptance of a \$500.00 donation.

Rationale:

The recommendation to accept a monetary donation (personal check) from Ms. Kathleen Obberecht, 8841 Carrousel Park Circle, Cincinnati, OH 45251 in appreciation for fire protection and emergency medical services provided to the community.

ALICE H. JENT 06-82
KATHLEEN A. OBERRECHT
8841 CARROUSEL PARK CIR. UNIT 23
CINCINNATI, OH 45261-5919

2472

6-12/410
187

10-31-17

Date

Pay to the
Order of

Colerain Fire Dept.

\$ 500.00

Five hundred & 00/100

Dollars



Security
Features
Details on
Back



PNC Bank, N.A. 070

For

Kathleen Oberrecht

2472

NEW BUSINESS

Department: Colerain Police Department

Department Head: Mark Denney, Chief of Police

Police Department

a. **Hiring of Clerk**

Request the Board's approval to hire Kristin Stenger for the position of night shift records clerk. If approved, Kirstin's salary would be \$14.82 per hour and she would serve a one-year probationary period. Her hire date would be effective January 1, 2018.

Rationale:

This position fills the open night shift clerk position. The former night shift clerk, Kelley Hopewell, will be serving as the Department's Accreditation Manager and assisting the day shift records clerk with customer service.

Kirstin is a 2010 graduate of Oak Hills High School and attended Northern Kentucky University, majoring in business. She currently works at Planet Fitness as a manager and has an extensive customer service background.

**COLERAIN POLICE DEPARTMENT
MEMORANDUM**

DATE: November 7, 2017
TO: Daniel P. Meloy
FROM: Chief Mark C. Denney
SUBJECT: Staffing Request

The Colerain Police Department recently completed its fifth Commission on Accreditation of Law Enforcement Agencies (CALEA) onsite. Traditionally, the cycle is three years, requiring an onsite visit on the third year. 2017 was the last year for this accreditation model.

After our August CALEA onsite, the accreditation process transitioned from a triennial onsite to quadrennial onsite, but with annual file review. Essentially, CALEA will require yearly compliance verification rather than every three years. This will demand a fulltime commitment to remain accredited and maintain the files for review. While this is an important, task-oriented responsibility, it is not one that can be managed by the one command officer I have. Further, it is not necessary to utilize a sworn officer to handle this task.

Our current Accreditation Manager, Lieutenant Michael Owens, is also tasked with commanding the patrol and Support Services function of the Police Department. He cannot provide the attention and commitment to the CALEA process that will be necessary for us to remain an accredited agency while providing the necessary leadership to our sergeants.

I am requesting approval to hire a night shift records clerk at a rate of \$14.82 per hour to replace Records Clerk Kelley Hopewell's position, and allow the Police Department to utilize Kelley's talents and skills as the Accreditation Manager. In this role, she will also be responsible for other administrative tasks such as:

Off-duty detail scheduling
False alarm billing notification
Department ordering/intake
Customer service
Clerical tasks, as needed, associated with the operation of the Police Department
Assist with absences and vacations during the busy day shift hours

The Police Department has identified a candidate for this position and would be asking to present this position at the November Trustee meeting.

NEW BUSINESS

Department: Colerain Township Department of Planning & Zoning

Department Head: Jenna M. LeCount, AICP

Planning & Zoning

a. Approval of Resolution Declaring Nuisance and Ordering Abatement

Recommend approval of Resolution to remove uncontrolled vegetation and/or refuse at the listed properties.

Rationale:

This resolution is recommended to allow the Township to access and abate properties with Ohio Revised Code nuisance violations.

b. Approval of Resolution Authorizing the Disposal of Equipment

Recommend approval of Resolution to dispose of an HP Designjet 5500 Plotter.

Rationale:

This resolution is recommended to allow the Township to sell the Planning & Zoning Department's former plotter. This equipment was replaced earlier in 2017 and is no longer of use to the department.

c. Request for Public Hearing for a Zoning Map Amendment at 8440 Livingston Road

Request to set a Public Hearing for Case No. ZA2010-03 on December 12, 2017 at 6:00PM.

Rationale:

The Colerain Township Zoning Commission is expected to make a recommendation on the Major Modification to a Preliminary Development Plan request on the property located at 8440 Livingston Road at their November 21, 2017 regular meeting. This modification item would require a public hearing to be held in front of this Board of Trustees within 30 days of the recommendation.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the 14th day of November, 2017 at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insko, Jeffrey F. Ritter

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported and determined to exist at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
2387 ANTARES	510-0063-0339
2520 CHOPIN	510-0053-0453
2735 GALBRAITH	510-0071-0231
9377 JERICO	510-0053-0161
8047 PEACOCK	510-0071-0232
10145 PIPPIN	510-0043-0178
8717 PLANET	510-0062-0099
2468 MERRIWAY	510-0032-0252
2524 NIAGARA	510-0051-0354
10018 REGENCY	510-0111-0197
10772 VALIANT	510-0032-0328

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control or removal of any vegetation, garbage, refuse, or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

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

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;
3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees _____, Mr. Insco _____, Mr. Ritter _____

ADOPTED this 14th day of November, 2017.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Greg Insco, Trustee

Jeffrey Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer
Resolution prepared by and approved as to form:

Lawrence E. Barbieri,
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 14th day of November, 2017.

Heather E. Harlow
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, met in regular session at 6:00 p.m., on November 14, 2017, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Michael Inderhees, Mr. Gregory Insco and Mr. Jeffrey Ritter

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-17

RESOLUTION AUTHORIZING THE DISPOSAL OF EQUIPMENT

WHEREAS, the Colerain Township Board of Trustees has found it necessary to dispose of surplus equipment;

WHEREAS, the surplus equipment will be offered to other government agencies via public auction through a Colerain Township identified resource or disposed of, based on outside interest.

NOW, THEREFORE, BE IT RESOLVED

1. The Colerain Township Board of Trustees authorizes the sale or disposal of surplus equipment.

A. HP Designjet 5500 Plotter, serial number: SG49K24029

2. That is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code; and
3. That the Board, by a majority vote, hereby dispenses with the requirement that this Resolution be read on separate days and hereby authorizes the adoption of the Resolution upon its first reading.
4. That this Resolution shall be effective at the earliest period allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees ____ Mr. Insco ____, Mr. Ritter ____,

BOARD OF TRUSTEES

Michael Inderhees

Gregory Insco

Jeffrey Ritter

ADOPTED this ____ day of November, 2017.

Attest:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of November, 2017.

Heather E. Harlow,
Colerain Township Fiscal Officer

NEW BUSINESS

Department: Economic Development

Department Head: Geoff Milz

Economic Development

a. Bond Resolution for Colerain Town Center TIF Bonds

Rationale:

The bond resolution will authorize the fiscal officer and/or township administrator to take any and all actions which may be necessary to issue bonds necessary to fulfill our obligations to the Struble Road Development Co. as stated in the Tax Increment Financing approved by the Board of Trustees at their October Regular Meeting.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the _____ day of November, 2017, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Jeffrey Ritter, and Gregory Insco

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____ - 17

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,010,000 OF SPECIAL OBLIGATION DEVELOPMENT REVENUE BONDS, SERIES 2017 (STRUBLE ROAD PROJECT), OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO UNDER CHAPTER 5709 OF THE OHIO REVISED CODE FOR THE PURPOSE OF PAYING THE COST OF CERTAIN PUBLIC IMPROVEMENTS; AUTHORIZING A PLEDGE OF AND LIEN ON CERTAIN SERVICE PAYMENTS TO SECURE SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT TO SECURE SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE TRANSACTION DOCUMENTS; AND AUTHORIZING AND APPROVING RELATED MATTERS.

WHEREAS, Colerain Township, Hamilton County, Ohio (the "Township"), a township and political subdivision duly organized and existing under the Constitution and laws of the State of Ohio (the "State"), is authorized and empowered, by virtue of the laws of the State, including, without limitation, the Ohio Constitution and Ohio Revised Code Chapter 5709, (a) to issue its revenue bonds for the purpose of financing a portion of the costs of acquiring, constructing, installing, equipping or improving "public infrastructure improvements," as defined in Ohio Revised Code Section 5709.40, located within the boundaries of the Township; (b) to enter into agreements with respect to the financing, acquisition, construction, equipping, improvement and installation of such improvements and to provide for a pledge of certain revenues sufficient to pay the principal of and interest and any premium on those revenue bonds; (c) to secure those revenue bonds by a trust agreement; and (d) to enact this Bond Resolution upon the terms and conditions provided herein; and

WHEREAS, the Township has determined that in order to provide for the financing, acquisition, construction, and operation of certain public infrastructure improvements to be acquired, constructed, improved, and otherwise developed on the Property by the Township constituting "public infrastructure improvements" as defined in the Ohio Revised Code Section 5709.40 more particularly described in Exhibit B to the TIF Resolution (collectively, the "Project"), it is advantageous to enter into (i) the Trust Agreement (the "Trust Agreement"), between the Township and the Trustee; (ii) the Service Agreement (the "Service Agreement"), between the Township and Struble Road Development Company, LLC (the "Developer"), as the same may be amended, modified, or supplemented from time to time; (iii) the Bond Purchase Agreement (the "Bond Purchase Agreement") by and between the Township and the Original

Purchaser relating to the sale of the Bonds; and (iv) such other documents as may be necessary to consummate the transactions contemplated herein and in the Trust Agreement, the Service Agreement, and the Bond Purchase Agreement; and

WHEREAS, the Bonds authorized in this Bond Resolution shall be payable as provided in the Bonds, this Bond Resolution, and the Trust Agreement from certain pledged revenues of the Township, including the receipts by or on behalf of the Township of (i) the Statutory Service Payments, as defined in the Service Agreement, equal to the amount of real property taxes that would have been paid on any Parcel owned by such Owner, after credit for the Property Tax Rollback Payments, if any, had an exemption with respect to the Parcel not been applied for by the Developer and allowed under Section 5709.73; and (ii) any Supplemental Payments, as defined in the Service Agreement, if any, necessary to meet the schedule of debt service payments for the Bonds (collectively with the Statutory Service Payments, the “Service Payments”); (iii) all other moneys received or to be received by or otherwise pledged to the Township or the Trustee and intended to be used for Debt Service Charges, including without limitation, all moneys and investments in the Bond Fund, the Revenue Fund, the Surplus Fund, and the Reserve Fund; (iv) any proceeds from the sale, lease, use or disposition of the Project by the Township; and (v) all income and profit from the investment of the foregoing moneys (collectively, the “Pledged Revenues”), which Pledged Revenues may be pledged towards the payment of principal of and interest on the Bonds pursuant to Ohio Revised Code Section 5709.40.

BE IT RESOLVED by the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio (the “Board”) that:

SECTION 1. Definitions. When used in this resolution, capitalized words used as defined terms, to the extent not defined herein, shall have the meanings assigned to those terms in the Master Definitions List attached as Exhibit A to the Trust Agreement in the form on file with the Colerain Township Fiscal Officer, unless the context or use clearly indicates another or different meaning or intent:

“Act” means Ohio Revised Code Chapter 5709, as enacted and amended at the time, and includes any other applicable law pertaining to the Bonds, as the same may be amended, modified, revised, supplemented, or superseded from time to time.

“Administrative Expense Fund” means Colerain Township Administrative Expense Fund created pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts and subaccounts therein as may be created pursuant to the Trust Agreement.

“Bond” or “Bonds” means Special Obligation Development Revenue Bonds, Series 2017 (Struble Road Project) authorized by this Bond Resolution.

“Bond Fund” means Colerain Township Bond Fund created pursuant to section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts (including, without limitation, the Interest Account, the Prepayment Account, and the Principal Account) and subaccounts therein as may be created pursuant to the Trust Agreement.

“Bond Resolution” means this Resolution, which Bond Resolution approves and authorizes the Trust Agreement and the Bonds.

“Bond Service Charges” means the principal, interest and any premium required to be paid on any Bonds, whether due at maturity, redemption or otherwise.

“Certificate of Award” is authorized by this Resolution and will be executed by the Fiscal Officer and/or Township Administrator.

“Costs of Issuance Account” means the Costs of Issuance Account established in the Public Improvements Fund pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and it includes all accounts and subaccounts therein that may be created pursuant to the Trust Agreement.

“Debt Service” means the principal, interest, and any redemption premium required to be paid on the Bonds, as further defined in the Trust Agreement.

“Developer” means Struble Road Development Company, LLC, an Ohio limited liability company, together with any successors or assigns.

“Eligible Investments” means the investments defined in Section 9 hereof.

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

“Interest Account” means the Interest Account established in the Bond Fund pursuant to Section 7 of this Bond Resolution and the Trust Agreement.

“Interest Payment Date” means the date identified as such in the Certificate of Award.

“Law Director” means the Law Director of the Township.

“Original Purchaser” means, as to the Bonds, the person or persons identified in the Certificate of Award.

“Owner” means Struble Road Development Company, LLC, an Ohio corporation, duly organized and validly existing under the laws of the State, and its respective successors in title to all or any portion of the Public Improvements.

“Pledged Revenues” means (a) the Service Payments intended to be used for Debt Service pursuant to the Service Agreement; (b) all other moneys received or to be received by or otherwise pledged to the Township or the Trustee and intended to be used for Debt Service, including without limitation, all moneys and investments in the Bond Fund, the Revenue Fund, and the Surplus Fund; and (c) all income and profit from the investment of the foregoing moneys.

“Prepayment Account” means the Prepayment Account established in the Bond Fund pursuant to Section 7 of this Bond Resolution and the Trust Agreement.

“Principal Account” means the Principal Account established in the Bond Fund pursuant to Section 7 of this Bond Resolution and the Trust Agreement.

“Project” means the construction of the Public Improvements identified in the Service Agreement and defined in the Trust Agreement.

“Property” means the parcels of real estate described on Exhibit A attached hereto.

“Public Improvements” means those improvements constituting “public infrastructure improvements” as defined in Ohio Revised Code Section 5709.40, as further defined in the Trust Agreement.

“Public Improvements Fund” means Colerain Township Public Improvements Fund created pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts (including, without limitation, the Capitalized Interest Account, the Costs of Issuance Account, and the Public Improvements Account) and subaccounts therein as may be created pursuant to the Trust Agreement.

“Public Improvements Account” means the Public Improvements Account established in the Public Improvements Fund pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and it includes all accounts and subaccounts therein that may be created pursuant to the Trust Agreement.

“Rebate Fund” means Colerain Township Rebate Fund created pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts and subaccounts therein as may be created pursuant to the Trust Agreement.

“Revenue Fund” means Colerain Struble Road Tax Increment Fund created pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts and subaccounts therein (including, without limitation, the Statutory Service Payment Account and the Supplemental Payments Account therein) as may be created pursuant to the Trust Agreement.

“Service Agreement” means the Service Agreement to be entered into between the Township and the Developer, as the same may be amended, modified, or supplemented from time to time, which is incorporated by reference into this Resolution.

“Service Payments” means, collectively, the Statutory Service Payments and the Supplemental Payments, both having the meaning provided in the Service Agreement.

“Surplus Fund” means Colerain Township Surplus Fund created pursuant to Section 7 of this Bond Resolution and the Trust Agreement, and includes all accounts (including, without limitation, the Surplus Account) and subaccounts therein as may be created pursuant to the Trust Agreement.

“TIF Resolution” means Resolution No. 121190B, passed by the Board on December 11, 1990, as amended on December 10, 1991 by Resolution No. 48-91, approving the TIF Exemption; Resolution No. 36-17, passed by the Board on July 31, 2017, extending the TIF

Exemption; and this Bond Resolution No. __-17, passed by the Board on November 14, 2017, approving the Service Agreement.

“Township” means Colerain Township, Hamilton County, Ohio.

“Township Administrator” means the Township Administrator of Colerain Township, Ohio.

“Transaction Documents” means the Trust Agreement, the Bond Purchase Agreement (each as defined in the preambles hereof) and any other ancillary agreement necessary for the issuance of the Bonds.

“Trust Agreement” means the Trust Agreement dated as of December 1, 2017 by and between the Township and the Trustee, securing the Bonds, as it may from time to time be amended and supplemented in accordance with its terms.

“Trustee” means The Huntington National Bank, or any bank or trust company that is appointed successor trustee under the terms of the Trust Agreement.

SECTION 2. That it is necessary to issue and sell not to exceed \$2,010,000 of Special Obligation Development Revenue Bonds, Series 2017 (Struble Road Project) (the “Bonds”) of the Township for the purpose of financing a portion of the costs of making the Public Improvements located within the boundaries of the Township, paying capitalized interest, together with the payment of costs related to the issuance of the Bonds, secured by a pledge of Pledged Revenues; provided, however, that nothing in this resolution shall be construed as pledging the general credit of the Township to the payment of said Bonds or any part thereof, or the interest thereon. The Board hereby affirms the prior execution and delivery of the Service Agreement in the form on file with the Fiscal Officer.

SECTION 3. It is necessary, and the Board determines, to issue Bonds in the aggregate principal amount of not to exceed \$2,010,000 to be used for the purpose of financing a portion of the costs of making the Public Improvements located within the boundaries of the Township as described above. The Bonds shall be dated as set forth in the Certificate of Award, and shall finally mature and be subject to mandatory and optional redemption as provided in the Certificate of Award. Interest on the Bonds shall be payable at the times, in the manner, and at the rate all as set forth in the Certificate of Award which is hereby authorized and which shall be executed by the Fiscal Officer or Township Administrator without further action of the Board. The interest rate on the Bonds shall not be in excess of eight percent (8.00%) per annum. The Bonds will be issued in denominations of \$100,000 and integral multiples of \$5,000 in excess thereof, as requested by the Original Purchaser(s) and approved by the Fiscal Officer.

The Board hereby authorizes the Fiscal Officer and/or Township Administrator to take any and all actions which may be necessary to issue the Bonds in book-entry only form without further action by this Board, and further authorizes the Township Administrator and the Fiscal Officer to execute any documents necessary or appropriate to accomplish the issuance of the Bonds.

The Board hereby approves the Transaction Documents currently on file with the Board and authorizes the Township Administrator to execute the Transaction Documents on behalf of the Township, with such changes not inconsistent with this Resolution or materially adverse to the Township, as determined by the Law Director. The execution of the Transaction Documents by the Township Administrator shall be conclusive evidence of such approval.

The Township Administrator and Fiscal Officer are further authorized and directed, alone or together, to execute any agreement or document related to continuing disclosure requirements under the Bonds

SECTION 4. The Bonds to be redeemed shall have a notice of the call for redemption of the Bonds, specifying the numbers of the Bonds to be redeemed, shall be sent by the Trustee by registered mail to the registered holders thereof, not less than thirty (30) days nor more than sixty (60) days prior to the date of redemption, upon which date all interest upon the Bonds or portions thereof so called shall cease except those as to which default shall be made, upon presentation, in the payment of the redemption price. Prior to any notice of call for redemption funds for such redemption shall be on deposit with the Trustee and the Township shall direct the Trustee in writing to make any notice of call for redemption.

The Bonds shall initially be numbered from R-1 upwards; provided, however, that in the event of the exchange or transfer of any Bond, any new replacement Bonds issued by the Trustee as a result of such exchange or transfer shall be numbered in a manner which will assure that such new Bonds retain the same terms with respect to redemption as were possessed by the exchanged or transferred Bonds.

The principal of, and interest on, the Bonds shall be payable to the registered holders thereof by check or draft of the Trustee as paying agent, and such payment shall be made without deduction for the services of such paying agent. At the written request of the registered owner of at least \$100,000 aggregate principal amount of the Bonds received by the Trustee at least one business day prior to the corresponding record date, interest accrued on the Bonds will be payable by wire transfer within the continental United States in immediately available funds to the bank account number of such owner specified in such request and entered by the Trustee on the registration records; provided that interest payable at maturity or upon redemption shall be paid only upon presentation and surrender of such owner's Bonds.

The Bonds shall be designated "Special Obligation Development Revenue Bonds, Series 2017 (Struble Road Project)".

SECTION 5. Upon the face of each of the Bonds shall be recited a reference to the Act and the resolution under which issued. Each of the Bonds shall express upon its face the purpose for which the same is issued, and that the Bonds are payable solely from the Pledged Revenues. The Bonds shall bear the manual or facsimile signatures of the appropriate officers of the Township, shall be authenticated manually by the Trustee, and shall bear manual or facsimile impression of the corporate seal of the Township. The Bonds shall be prepared, issued, and delivered to the Original Purchaser under the direction of the appropriate officers of the Township as hereinafter provided.

SECTION 6. The Bonds are hereby awarded and shall be delivered to the investors identified in the Certificate of Award (the “Original Purchasers”), upon payment for the Bonds. The appropriate officers of the Township are hereby authorized and directed in the name of and on behalf of the Township to make, execute and deliver the Bonds to the Original Purchasers in accordance with the terms of this Bond Resolution and the Certificate of Award. The Bonds shall be payable solely from Pledged Revenues. THE BONDS ARE NEGOTIABLE INSTRUMENTS BUT DO NOT CONSTITUTE GENERAL OBLIGATIONS OF THE TOWNSHIP AND THE GENERAL CREDIT AND TAXING POWER OF THE TOWNSHIP ARE NOT PLEDGED FOR PAYMENT THEREOF, OR ANY PART THEREOF, OR THE INTEREST THEREON, AND THE BONDS ARE PAYABLE AS TO PRINCIPAL, PREMIUM, IF ANY, AND INTEREST ONLY FROM THE PLEDGED REVENUES.

SECTION 7. There is hereby authorized to be created and established, and the Trust Agreement shall create and establish, the following funds, each as a separate fund (except when invested as hereinafter provided) in the custody of the Trustee, each designated as indicated and including therein the accounts and subaccounts described herein, and such additional accounts and subaccounts as may be created by the Trust Agreement or as the Trustee shall, in its discretion, deem expedient for implementing the purposes of this Bond Resolution and the Trust Agreement:

- (a) A fund designated the “Colerain Township Bond Fund,” and the “Interest Account,” the “Principal Account,” and the “Prepayment Account” therein;
- (b) A fund designated the “Colerain Township Public Improvements Fund” and the “Costs of Issuance Account,” the “Capitalized Interest Account” and the “Public Improvements Account” therein;
- (c) A fund designated the “Colerain Struble Road Tax Increment Fund” and the “Statutory Service Payment Account” and the “Supplemental Payment Account” therein;
- (d) A fund designated the “Colerain Township Surplus Fund”;
- (e) A fund designated the “Colerain Township Reserve Fund”;
- (f) A fund designated the “Colerain Township Rebate Fund,” any provision hereof to the contrary notwithstanding, amounts credited to the fund shall be free and clear of any lien hereunder; and
- (g) A fund designated the “Colerain Township Administrative Expense Fund,” provided that, any provision hereof to the contrary notwithstanding, amounts credited to the fund shall be free and clear of any lien hereunder.

SECTION 8. The proceeds from the sale of the Bonds, as and when paid by the Original Purchaser, excluding any amounts representing accrued interest, shall be deposited to the credit of the Capitalized Interest Account of the Public Improvements Fund, the Costs of Issuance Account of the Public Improvements Fund, and the Public Improvements Account of the Public Improvements Fund pursuant to and in accordance with this Bond Resolution and the Certificate

of Award. From and after the date of issuance and delivery of the Bonds, the Pledged Revenues shall be set aside and deposited by the Township in the Revenue Fund, which shall be administered pursuant to the Trust Agreement.

SECTION 9. Moneys in Colerain Township Bond Fund, Colerain Township Public Improvements Fund, Revenue Fund and the Surplus Fund may be invested in Eligible Investments, as defined in the Trust Agreement, maturing or redeemable by the holder not later than the times and to the extent such moneys are required for the purpose of paying costs of the Project, or paying interest payments or principal or sinking fund payments on the Bonds, as applicable. Unless otherwise provided above, interest on any moneys or investments in each of the funds and accounts established under the Bond Resolution shall be credited to that fund or account. All investments by the Trustee shall be made at the written direction of the Township.

SECTION 10. Should it be judicially determined by a court having jurisdiction to pass upon the validity of this resolution, the Trust Agreement or Bonds herein authorized, that any provision of the Bond Resolution is beyond the powers of the Board or the Township, or is otherwise invalid, then such decision shall in no way affect the validity of said Trust Agreement or the validity of the Bonds, or any proceeds related thereto, except as to the particular matters found by such decision to be invalid.

SECTION 11. The funds derived from the sale of the Bonds authorized by this Bond Resolution become and they are hereby set aside and appropriated for the payments as described in this Bond Resolution. The Township will not make any pledge or assignment of or create or suffer any lien or encumbrance upon the Pledged Revenues prior to or on a parity with the pledge thereof under, except as and if authorized or permitted under the Trust Agreement.

SECTION 12. Subject to any limitations set forth in the Service Agreement, the Township covenants that, prior to the delivery of the Bonds, it will determine the amount of Pledged Revenues necessary to satisfy the projected Debt Service of the Bonds and shall enter into such valid and legally enforceable agreement or agreements to cause such Pledged Revenues to be collected at such times and in such amounts which will provide amounts sufficient and appropriate to (i) pay when due all Debt Service on outstanding Bonds, and (ii) provide for the establishment and maintenance of any reserve requirement.

SECTION 13. That sums which are expended from the above appropriations and which are proper charges against and are repaid by any other department, any firm, person, or corporation, shall be considered reappropriated for such original purpose; provided that the total appropriation as increased by any such repayment shall not be exceeded.

SECTION 14. The Township will at any and all times adopt, make, do, execute, and deliver such further resolutions, instruments, and assurances as may be necessary or desirable to carry out the purposes of this Bond Resolution and the Trust Agreement.

SECTION 15. That the Fiscal Officer of Colerain Township be and he or she is hereby authorized to draw his warrants of the Township Treasury and Depository for payments from any of the foregoing appropriations upon receiving proper approval in accordance with the resolutions of Colerain Township.

SECTION 16. The Board, for the Township, hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or “arbitrage bonds” under Section 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations prescribed thereunder. The Fiscal Officer or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of the Bonds, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 17. The Board hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

SECTION 18. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

SECTION 19. That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees _____, Mr. Ritter _____, Mr. Insko _____

ADOPTED this 14th day of November, 2017

BOARD OF TRUSTEES:

Michael Inderhees, Trustee President

Jeffrey Ritter, Trustee Vice-President

Greg Insko, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of November, 2017.

Heather E. Harlow,
Colerain Township Fiscal Officer

NEW BUSINESS

Department: Colerain Township Administration

Department Head: Daniel P. Meloy

Administration

- a. Request Board Approval – Rehire of Administrative Assistant Nancy Spears
Recommend the Board of Trustees approve the rehiring of Administrative Assistant Nancy Spears. effective December 1, 2017. Ms. Spears is a 30+ year Township employee who serves as the Administrative Assistant for the Chief of Police, Fire Chief and Administrator. She assumed the extra duties upon the retirement of other Township Administrative Assistants. Her acceptance of the extra duties and responsibilities in 2015 has saved the Township a significant amount money, while not reducing the responsiveness to the duties associated with each of the Departments. Ms. Spears annual salary is \$58,080.67.

Rationale:

See attached memorandums from Chief of Police, Mark Denney and Chief of Department, Frank Cook.

**COLERAIN POLICE DEPARTMENT
MEMORANDUM**

DATE: August 28, 2017

TO: Daniel P. Meloy

FROM: Chief Mark C. Denney

SUBJECT: Possible Retirement of Nancy Spears

In speaking with Nancy Spears, she mentioned that she is eligible for retirement in the next few months and is contemplating what she will do.

While I am certainly happy for her, and she has without any doubt earned that reward for her many years of service to the Township, her possible departure raises some significant concerns for the Police Department.

In her role as Administrative Assistant, Nancy has served the Chief of Police dating back to 1987. Nancy has proven to be reliable, loyal and a tremendous resource to the Police Department and Township. Her institutional knowledge and grasp of the budget gained over the past 30 years is indispensable and allows me, as the Chief of Police, to make spending decisions with confidence. She is a very trusted and needed advisor to me on the budget.

In 2014, Nancy was moved from the Police Department to serve as the Administrative Assistant for the Public Safety Department. Moving Nancy to the Public Services building and take on the Fire Department responsibilities concerned me greatly. However, Nancy adapted and made sure I was still receiving the needed information and she remained involved in the Police Department, both professionally and personally.

As a leader, you know that Nancy is one of those “special” people. If you are lucky, you get a “Nancy” once in your career. Her talent, loyalty and dedication cannot be overstated. Nancy has dedicated her entire professional life to the Township and to lose her would be a significant blow to not only the Police Department, but the Township as well.

Please consider asking the Board to allow Nancy to remain in her role as Administrative Assistant after her retirement. While the practice of retire/rehire is controversial, Nancy is a prime example of why this is a solid and beneficial decision. Retaining Nancy’s knowledge, her dedication and her loyalty is vital to the Police Department. Replacing Nancy would be a substantial burden to those who rely on her daily.

I believe it is in the best interest of the administration and our community to retain this very valuable and loyal member of the family. Nancy is a rare gem and we need to make sure she remains an asset to us all.

Memo

To: Dan Meloy, Administrator
From: Frank Cook, Chief of Department
Date: August 31, 2017
Re: Nancy Spears - Retirement



I've recently learned that Nancy Spears has reached a point in her long tenured career with the Township and that retirement is a consideration for her. This memo supports the deliberation of rehiring of Nancy should she voluntarily separate in the form of retirement from her current position as Public Safety Administrative Assistant.

I view Nancy as a key contributor - one with an exceptional record of performance – as an Administrative Assistant for both the Department of Fire and Emergency Medical Service and Police Department. She knows both Public Safety agencies and how they conduct their business, and can continue to make a strong contribution to both agencies. She has the technical and historical or institutional knowledge of the agencies and their stakeholders, which can allow the continuation of building and maintaining relationships. In addition, the credibility that has been gained with her experience has deepened employee engagement.

Retaining Nancy can be a “win-win” situation for not only for the Departments of Fire and EMS and Police Department, but the Township as well. After all, she adds great value to the position as she has the knowledge, skills and abilities to do her job well and the employees, citizens and businesses know who she is and the service she provides.

Should you have any questions pleased do not hesitate to contact me.