



**Hanover Township Board of Trustees
August 18, 2021 Meeting Minutes**

Call to Order: Board President Douglas L. Johnson called the meeting to order at 6:00 PM. Mr. Johnson led the opening ceremonies and gave the opening invocation.

Roll Call: Fiscal Officer Greg Sullivan took a roll call with Messer’s Buddo, Miller and Johnson present. Other officials present: Bruce E. Henry, Township Administrator, Fire Chief Phil Clark. BCSO Deputy Tanner and Road Superintendent Scot Gardner.

Approval of Meeting Minutes: Motion made by Mr. Miller, seconded by Mr. Johnson, to approve the July 14, 2021 Regular Meeting minutes and approve warrants for release/distribution as well as approval of all reports. Upon roll call all three Trustees voted yes to approve all.

Guest Presentation: Kelly Crout, Executive Director of the Soil and Water Conservation District made a presentation outlining upcoming events sponsored by the District. Mss. Crout answered questions from the Board.

Citizen Participation: No one wished to address the Board.

Administration Reports

**Butler County Sheriff’s Office
District #6
Hanover Township Contract Cars
Monthly Report for July 2021**

<u>Activity Area</u>	<u>Month Totals*</u>	<u>YTD</u>
• Dispatched Calls: 213		1742
• Felony Reports: 01		19
• Misdemeanor Reports: 16		101
• Non-Injury Crash: 07		50
• Injury Crash: 02		11
Total Reports: 26.....		176

- Assists/Back Up: 26 220
- Felony Arrests: 00 03
- Misdemeanor Arrests: 02 57
- OMVI Arrests: 00 01

Total Arrests: 0228

- Traffic Stops: 10 109
- Moving Citations: 08 82
- Warning Citations: 04 33
- Civil Papers Served: 0 00
- Business Alarms: 2 11
- Residential Alarms: 07 48
- Special Details: 13 115
- COPS Times: 5,200 (*Min.*) 36,800 Min
- Vacation Checks: 19 138

Reporting for Deputies Mayer and Tanner. Prepared by BEH.

The Board asked questions about recent criminal activity. Deputy Tanner stated there were numerous break ins in Hanover Township as well as other areas. This activity involved "smash and grab" of valuables inside vehicles. Deputy Tanner stated this activity was happening after 1:00AM. Deputy Tanner works from 5:00PM to 1:00AM. The Board recognized Andy Wyatt, Assistant Chief of the Fire Department regarding contract deputies and isn't another contract car needed for service after 1:00AM. Hanover Township currently pays for two contract cars. Mr. Johnson explained there are BCSO Units patrolling on the west side which also covers Hanover Township.

Hanover Township Fire Department
Monthly Report for July 2021- Phil Clark Fire Chief

Run and detail activity for the Fire and EMS operations are reflected in the following numbers:

	<u>Month</u>	<u>YTD</u>
• Emergency Medical Operations/Squad Runs:	73	462
• Motor Vehicle Accidents:	05	33
• Fire Runs:	08	80
• Fire Inspections:	02	46
• Knox Box Details	00	00
• Other	00	00
• Total for the month:	88 Runs/Operations	

(Fire/EMS Runs)

Total Year 2021: 619 Runs/Operations

(July 2020: 76 Runs/Operations)

Prior Year Totals

Total for 2020	870	
Total for 2019	879	
Total for 2018	777	
Total for 2017	689	
Total for 2016	705	
Total for 2015	733	
Total for 2014	809	<i>5 year average (2016-2020): 784</i>
Total for 2013	750	<i>Run Increase Since 2006: 374</i>
Total for 2012	693	
Total for 2011	719	
Total for 2010	748	
Total for 2009	676	
Total for 2008:	669	
Total for 2007:	717	

Road/Cemetery: Mr. Gardner presented the following report for the month of March 2021:

SUPERINTENDENT'S REPORTS
(July 14, 2021)

Millville Cemetery Operations Report July 1 through July 31, 2021

1 Grave sold to Township residents (@ \$710)-----	2,130.00
6 Graves sold to nonresidents (@ \$995)-----	5,975.00
0 Old resident graves-----	0.00
6 Full Interments-----	6,000.00
0 Baby interments-----	0.00
4 Cremations-----	2,125.00
Foundation and Marker installation fees-----	1,395.20
Grave Transfer-----	0.00
Donations-----	0.00
Total: -----	\$17,625.20

Other Cemetery activities:

1. fixed graves

2. cleaned office and garage
3. pick up and removed flowers from stones
4. cut grass 4 times and weed eat 2 times

**Road, Streets and Park
(Scot Gardner)**

1. Crack sealed on Vanda Avenue, Merle Avenue, Leonard Avenue, Claude Court, Ward Way, Hanover Place, Hanover Court, Hanover Way, and Tulipwood Drive.
2. Roadside mowing.
3. Prepared Darrtown Road and Jesse Drive for black mat.
4. Prepared Gardner Road, Stephenson Road, and part of Darrtown Road for retrace.
5. Cut grass on all Township properties four times.
6. Performed monthly truck, park, and storm water inspections.

Administrator's Report (Financials and Personnel Issues)

Mr. Henry presented the following report to the Board:

Administrator **July** Summary Report
(August 2021)

- **Fire Levy Information:** Mr. Henry forwarded the Auditor's Certification motion and Resolution to Proceed to the Butler County Board of Elections. Waiting for final Board of Elections approval and certification of ballot language in August.
- **Insurance Issues:** Worked on disability and cancer insurance issues for a full time employee on FMLA leave.
- **Fire Station Bond Issue/ Refinance:** Completed all follow up documents and worked with Bond Counsel to insure everything went as planned. A successful closing occurred and the refinancing was in progress.
- **Park Committee:** Held meetings with the Committee to prepare for the Cruise In, Concert and Wine Tasting event to be held June 26, 2021.
- **Fiscal Operations: Ongoing-** We are continuing the process of reviewing all funds and determining fiscal strength of the Township for the balance of 2021.
- **Board, Financial Reports and Payroll Reports (ongoing):** Obtained data from the Fiscal Officer and prepared Township funds analysis for the monthly Board meeting. Prepared Trustee packets.
- **American Relief Fund:** Attended a training webinar with OTA Attorneys working through the provisions of the Act. These funds are much more restrictive than the Cares Act Funding. Also consulted with Dan Ferguson regarding the matter and allowable

expenditures. A summary report will be prepared for the Board to develop a plan for use of the funds.

- **Public Records Act Update and Sunshine Laws Training:** On July 29th Mr. Henry attended a training at Madison High School presented by the Ohio Attorney General's Office. In addition to myself, I signed a form certification that I served as a designee for each Trustee. A summary overview will be provided to the Board.
- **Catch Basin Repairs: No Progress.** Still working on how to bid out the work needed for the failing catch basins. Road crew has been making some repairs. Scheduling a partial list for the 2021-2022 construction season. (**Placed on hold due to economic issues COVID-19 related**)
- **Wencella Drive Drainage Issues: Ongoing/No change-** The problem exists outside the right of way. (Still trying to figure out how to deal with the private property and R/W issues and financing- **still pending- no change.**
- **Ongoing: Gene Avenue Culvert-** The Gene Avenue culvert project received a partial grant award (\$71,000.00) through the Community Development Grant Process. This project is still a priority and will be made part of the 2022 Road Program through the County Engineer's Office with a 2021 estimated cost of \$109,339.00. This may be a possible project for the American Relief Funding Act.

Personnel Actions and Other Items of Note

Due to the pandemic issue period, which resulted in furloughing, not filling or able to fill enough part time and seasonal employees for addressing all of the Township's operational needs as well as not having sufficient funds readily available for certain infrastructure needs, the township staff is having difficulty in meeting all the operational demands. One employee is still recovering from a serious illness and is on extended leave. With the possibility of additional support revenues from the State, we are trying to attract the needed workers.

Personnel actions and appointment of new personnel underway for June:

Fire Department:

Hire subject to conditions:

Promote/Hire: Antonio Ditullio 2125 Stahlheber Road Hamilton, Ohio 45013 from Firefighter to EMT-B/Firefighter to work part time on station at \$15.00 per hour subject to final review of qualifications and subject to the successful completion of the background check/physical and approval by the Township Administrator.

Mr. Matthew Myers 11 Hollow Court Hamilton, Ohio 45013 as a Firefighter at \$18.00 per hour for call in service. Summary background check completed.

Ms. Courtney Tuttle 924 Gordon Smith Blvd Apt. 4 Hamilton, Ohio 45013 as a Fighter at \$18.00 for call in service. Summary background check completed.

The following employees have achieved a higher credential and as per the Township Pay Plan are increased to the level authorized pursuant thereto: NONE

Road and Cemetery:

No new hires; only one seasonal part time worker is left.

Other: Pursuant to ORC 511.10 and Township Resolution No. 81-01 Bruce Henry (40 hours) and Brian Batdorf transferred unused sick leave to Darrell Perkins in the Road Department, who had exhausted all leave time due to an extended illness covered by FMLA leave.

Other General Actions Non Personnel Related: (Still in Progress- Ongoing)

Ongoing- Studying ways to secure records properly: The Administration has been boxing up records to free file space for current documents. Examining old file boxes in the attic to determine which boxes should be reviewed and documents shredded

Admin Security and Protection of Records: Examining possible building "blind spots" and also the security and protection of key township documents.

Road Department: Examining issues related to the storage of equipment. Looking at pole barns and other related structures.

Strategic Planning Session: Once the COVID-19 revenue impact is fully realized and the possible savings from cutbacks as well as increasing revenues in certain funds, a strategic planning session will be needed with the Board of Trustees and Administration in the first nine months of 2021.

Of Note- Budget Information July 31, 2021

Cash Balance as of July 31, 2021: \$3,162,801.28 (Includes ARP funds)

- 1) **Total Expenditures all funds for July 2021:** \$191,791.13 / **Revenue:** \$93,136.90
- 2) **Total General Fund cash on hand July 31, 2021:** \$962,052.77 (30.42%) of Total funds
- 3) **Total Fire/EMS Fund cash on hand July 31, 2021:** \$663,729.02 (20.99%) of Total funds
- 4) ***Monthly Revenue and Expenditure Reports by fund for July 2021 are attached to this report.***

History of Cash Balances

Fiscal Year 2014

Jan-Cash Balance: \$1,380,611.21
Feb-Cash Balance: \$ 1,331,175.05

Fiscal Year 2015

Jan: \$1,148,374.71
Feb: \$1,158,413.75

Mar-Cash Balance: \$1,259,054.92
April-Cash Balance: \$1,546,929.78
May-Cash Balance: \$1,524,373.14
June-Cash Balance: \$1,506,977.71
July-Cash Balance: \$1,517,738.15
Aug-Cash Balance: \$1,286,101.15
Sept-Cash Balance: \$1,533,842.91
Oct- Cash Balance: \$1,444,676.89
Nov- Cash Balance: \$1,384,569.72
Dec-Cash Balance: \$1,324,682.90

Mar: \$1,551,667.37
Apr: \$1,458,584.04
May: \$1,477,662.73
June: \$1,393,267.44
July: \$1,332,264.37
Aug: \$1,125,949.35
Sept: \$1,449,880.79
Oct: \$1,362,945.99
Nov: \$1,194,472.00
Dec: \$1,093,559.61

Fiscal Year 2016

Jan- Cash Balance: \$1,086,880.70
Feb- Cash Balance: \$ 975,051.11
Mar- Cash Balance: \$ 929,271.02
Apr- Cash Balance: \$1,259,751.18
May- Cash Balance: \$1,256,517.69
June- Cash Balance: \$1,231,659.27
July- Cash Balance: \$1,136,203.94
Aug- Cash Balance: \$1,088,071.02
Sept- Cash Balance: \$1,231,337.97
Oct- Cash Balance: \$1,199,176.98
Nov- Cash Balance: \$1,083,268.01
Dec- Cash Balance: \$1,046,996.51

Fiscal Year 2017

Jan: \$ 888,346.09
Feb: \$ 902,459.77
Mar: \$ 900,176.59
Apr: \$1,471,639.15
May: \$1,413,018.92
June: \$1,359,085.19
July: \$1,321,950.79
Aug: \$1,274,996.15
Sept: \$1,646,935.23
Oct: \$1,511,096.61
Nov: \$1,286,649.51
Dec: \$1,243,274.81

Fiscal Year 2018

Jan- Cash Balance: \$1,163,186.72
Feb- Cash Balance: \$1,073,432.10
Mar- Cash Balance: \$1,074,034.55
Apr- Cash Balance: \$1,716,834.06
May- Cash Balance: \$1,692,832.17
June- Cash Balance: \$1,622,292.66
July- Cash Balance: \$1,646,449.31
Aug- Cash Balance: \$1,584,537.39
Sept- Cash Balance: \$1,913,802.96
Oct- Cash Balance: \$1,598,162.43
Nov- Cash Balance: \$1,510,806.10
Dec- Cash Balance: \$1,415,972.54

Fiscal Year 2019

Jan- Cash Balance: \$1,285,186.49
Feb- Cash Balance: \$1,284,662.00
Mar- Cash Balance: \$1,282,053.24
Apr- Cash Balance: \$1,876,385.79
May- Cash Balance: \$1,863,302.50
June- Cash Balance: \$1,689,602.11
July- Cash Balance: \$1,627,758.24

Aug- Cash Balance: \$1,641,391.20
Sept- Cash Balance: \$2,153,934.83
Oct- Cash Balance: \$1,962,350.93
Nov- Cash Balance: \$1,861,470.50
Dec- Cash Balance: \$1,764,761.24

Fiscal Year 2020

Jan- Cash Balance: \$1,665,256.35
Feb- Cash Balance: \$1,672,757.34
Mar- Cash Balance: \$2,308,393.51
Apr- Cash Balance: \$2,230,590.13
May- Cash Balance: \$2,192,706.20
June- Cash Balance: \$2,290,353.31
July- Cash Balance: \$2,185,119.72
Aug- Cash Balance: \$2,281,130.53
Sept- Cash Balance: \$2,578,948.20
Oct- Cash Balance: \$2,327,780.90 (Excludes CARES Funding; If included balance is \$2,859,129.29)
Nov- Cash Balance: \$2,446,861.80 (Excludes CARES Funding; If included balance is \$2,728,043.24)
Dec- Cash Balance: \$2,436,152.18 (Includes \$35,374.23 CARES Revenue)

Fiscal Year 2021

Jan- Cash Balance: \$2,327,500.47
Feb- Cash Balance: \$2,555,744.03
Mar- Cash Balance: \$2,326,232.58
Apr- Cash Balance: \$2,936,429.83
May- Cash Balance: \$2,865,179.70
June- Cash Balance: \$2,814,391.86
July- Cash Balance: \$3,162,801.28

June 2019: The General Fund and Fire/EMS funds are holding consistent and moderately strong. Payments for equipment will hit these funds later in the year. General Obligation Bonds/Requirements being reviewed for possible changes more favorable to the Township. Goals for major purchases approved by the Board are being completed.

August 2019: The Fire Department Fund has been impacted by equipment purchases and station repairs. With the increased cost of personnel, fund revenues and expenditures must be continuously evaluated to insure that revenues levels are sufficient to maintain at a high level the primary functions of the department. For the Road Department two major pieces of equipment will come on line for scheduled payments impacting the overall available funds.

November 2019: Looking ahead with the Fiscal Officer regarding operational budgets and future levy requirements to insure that Hanover Township remains on a sound financial basis especially in light of capital requests that will be facing the Township.

December 2019: Examining switch over requirements for lowering Fire Dept. BWC premiums. Seeking reclassification to a better premium code.

February 2020: Received preliminary approval for reclassification of premium rating code for the Fire Department to lower payments. Awaiting final letter of approval to result in lower payments. Monitoring Fire Department staffing costs and increased payroll as the department seeks to improve response and coverage.

March/April: Due to COVID-19 circumstance several Community Center rentals were cancelled and refunds made. Revenue for facility rentals in the General Fund will take a hit in revenue generation. Gas Tax and Local Government revenues have experienced decreases due to COVID-19 issues/economics.

July/August/September: Will be evaluating revenue situation when tax settlements are received to determine what projects can be addressed in consultation with the Board of Trustees. Gas Tax and Local Government fund experienced decreases earlier but appear to be on the rebound. Cemetery revenue is increasing as well.

November 2020: Finishing up CARES Act purchases and payroll expenses to be completed or encumbered by November 20, 2020. Evaluating project list for 2021 to present to the Board.

December 2020: Evaluating final year expenditures and will be examining balances and outstanding issues as the Township moves into 2021. A number of projects are on hold due to the COVID-19 impact on revenues. In January 2021, fund balances and carry over as well as property valuation numbers will be analyzed. The Township must operate on carry over balances until tax settlements are received in April 2021.

January- March 2021: Fund balances and carry over as well as property valuation numbers will be analyzed the first quarter. The Township must operate on carry over balances until tax settlements are received in April 2021.

Also, the impact of COVID-19 on revenues and expenditures will be evaluated. Examining new COVID-19 Relief Bill for allocations to Townships.

Old Business

Nuisance Report Summary for August 2021

1981 Hamilton Richmond Road: Coordinated by Butler County Zoning, case referred to the Prosecutor and assigned for a court decision, rendered in favor of the County. Owner has not taken action. Township has to decide about instituting Township law process.

Reily Millville Road: Two properties are under orders to remove debris and junk vehicles. One at the intersection of Reily Millville and US 27; another across from the historic cemetery

Old Oxford: Two properties under orders to remove junk vehicles.

Vizedom Road: No orders yet but there are junk vehicles on the property. Under evaluation at this time.

New Business Section

New Business Motion

Ref: Amend July 14, 2021 Motion regarding an F-4 Alcohol Permit

On July 14, 2021 the Board approved a motion authorizing the request for an F-4 Alcohol Permit from the Division of Liquor Control for a cost of \$60.00 for a wine tasting event featuring 3

wineries. Unfortunately due to labor shortages, we could not secure 3 wineries. It appeared the only other permit available to us was an F-2 Permit which cost \$150.00. Due to time constraints, we had to prepare the documents and check to send off to Liquor Control. Therefore, this motion amend the previous authorization to reflect an F-2 Permit for \$150.00.

Motion: Mr. Buddo made a motion to amend the previous motion pertaining hereto and authorize the Township Administrator to prepare and execute all documents related to obtaining an F-2 Permit from the Ohio Division of Liquor Control for the referenced August 28, 2021 event and approve payment of the required application fee of \$150.00. Mr. Miller seconded the motion. After discussion, a roll call vote was taken and the vote was: all three Trustees voted yes.

Resolution No. 35-21

**Supporting Regional Cooperation to Provide Broadband Infrastructure to Residents
Enabling Accessible and Affordable Broadband as a Basic Lifeline for Education, Health
Care and Employment**

Whereas, accessible and affordable broadband is a lifeline to education, healthcare, and employment: and,

Whereas, the COVID-19 pandemic fully exposed the deficiency of broadband connectivity in Butler County and numerous residents including many in Hanover Township were greatly impacted by the digital divide: and,

Whereas, regional cooperation has been initiated for the west side jurisdictions of Butler County including coordination through Butler Rural Electric Cooperative and Cincinnati Bell: and,

Whereas, Hanover Township considers the expansion of broadband access a high priority and certainly will strengthen the economic well being of our area; and,

Whereas, addressing the gap in broadband connectivity is critical to all of Butler County and is best served by a Countywide effort; and,

Be it resolved by the Board of Township Trustees of Hanover Township Butler County, Ohio

Section I. Hanover Township considers broadband access a high priority and supports the efforts of Butler Rural Electric, Cincinnati Bell and other jurisdictions in approaching the matter both on a regional and countywide basis.

Section II. Hanover Township requests that the Butler County Commissioners take a central lead in this effort and is willing to explore the use of Township American Rescue Plan Funds to assist in this effort.

The foregoing resolution was adopted in an open public meeting and is a reflection of the official action taken by the Board of Trustees of Hanover Township Butler County, Ohio on the 18th day of August 2021.

Board of Trustees

Vote

Attest and Authentication:

Douglas L. Johnson
Larry Miller
Jeff Buddo

Gregory L. Sullivan
Fiscal Officer/Clerk

Resolution No. 36-21

Authorizing the Filing of February 2021 Applications for the Butler Rural Community Connections Grant Program

Whereas, the Township Administrator has reviewed the requirements for the February 2021 Community Connections Grant program sponsored by the Butler Rural Electric Cooperative; and,

Whereas, the Township has established priorities to serve the residents of the Township the cost of which exceeds available revenues especially in the areas of Fire/EMS Operations, Road department functions, Community Center Operations and Cemetery functions; and,

Whereas, the Board of Trustees rates basic services such as those items that relate to serving the emergency needs of the public as a high priority and recognize the need for the continued development of the Hanover Township Memorial Park, Community Center and programming that serves the overall best interests of Township residents; and,

Whereas, the projects submitted for Community Connections Funding have no assigned funding source but the Township will continue to focus on key priorities,

Be it resolved by the Board of Trustees of Hanover Township, Ohio

Section I. That Board authorizes up to two applications to be submitted at the Township Administrator's discretion to the Butler Rural Cooperative Community Connections Program by the end of August 2021.

Section II. That the Township Administrator is hereby authorized to complete the necessary documents and sign the appropriate forms to submit up to two applications referenced herein that address Township priorities.

Section III. That the Board of Trustees acted upon this matter in an open public meeting on August 18, 2021 and in accordance with applicable statutory requirements.

Board of Trustees

Vote

Attest:

Douglas L. Johnson
Larry Miller
Jeff Buddo

Gregory L. Sullivan
Fiscal Officer/ Clerk

RESOLUTION NO. 37-21

**A RESOLUTION DECLARING THE PROPERTY OWNED BY GARY ROUGH
LOCATED AT 1225 BEISSINGER RD HAMILTON, OHIO 45013 IN HANOVER
TOWNSHIP, BUTLER COUNTY, OHIO PARCEL NUMBER B1020053000004
A NUISANCE**

(ORC Sections 505.87 and 505.871)

WHEREAS, the Hanover Township Board of Trustees has found the property owned by Gary Rough located at 1225 Beissinger Rd Hamilton, OH 45013, tax parcel identification B1020053000004, to be littered with weeds and uncontrolled vegetation as well as a junk vehicle; and,

WHEREAS, pursuant to state sections 505.87 and 505.871 of the Ohio Revised Code, the Board is authorized to determine that the maintenance of vegetation, debris, and junk vehicles upon a property constitutes a nuisance and order the property owner, Gary Rough, to remove such vegetation within fourteen (14) days and if the owner fails to remove the vegetation and junk vehicle or to make arrangements for the removal within the allotted time period, the Board may proceed to remove the vegetation and junk vehicle and enter the cost of such removal upon the tax duplicate for the property; and,

WHEREAS, as the result of neighbors complaining, it is in the best interests of Hanover Township and its residents to proceed under Sections 505.87 and 505.871 of the Ohio Revised Code in order to remove or have removed, the vegetation and junk vehicle from property located at 1225 Beissinger Rd in Hanover Township Hamilton, OH 45013

RESOLUTION

NOW THEREFORE, be it resolved by the Board of Trustees of Hanover Township Butler County, Ohio, that the following Resolution be, and it hereby is, adopted.

SECTION I. RESOLVED, THAT THE Board has found that the property owned by Gary Rough located at 1225 Beissinger Rd Hamilton, OH 45013, in Hanover Township, Butler County, Ohio is littered with weeds, uncontrolled vegetation and junk vehicle, and the Board hereby determines that the lack of maintenance of the Vegetation as well as the storage of a junk vehicle on the Property constitutes a nuisance and pursuant to Section 505.87 and 505.871 of the Ohio Revised Code, orders the following actions:

1. The Board orders the owner of the property to remove the vegetation and debris or make arrangements for the removal within fourteen (14) days after the receipt of notice of this Resolution;
2. The Board authorized the Township Administrator or his designee to notify the record owner and lien holders of the Property as provided in state section 505.87(B) of the Ohio Revised Code;
3. If the record owner does not remove the vegetation, debris and junk vehicle or make arrangements for the removal within seven (14) days from the receipt of notices hereof, the Township Administrator is authorized to provide for the removal of the vegetation, debris and junk vehicle debris or to enter into a contract with some suitable person or persons for its removal, and all costs and expenses so incurred shall when approved by the Board, be paid out of the unappropriated monies in the general fund;
4. The Fiscal Officers shall report all expenses that the Township incurs in the removal of the vegetation, debris and junk vehicle to the Auditor of Butler County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in state section 505.87 of the Ohio Revised Code.
5. This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board,

and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

This Resolution shall take effect at the earliest time allowed by law.

ADOPTED: AUGUST 18, 2021

ATTEST:

HANOVER TOWNSHIP BOARD OF TRUSTEES
BUTLER COUNTY, OHIO

Fiscal Officer

Gregory L. Sullivan

Douglas L. Johnson

Larry Miller

Jeff Buddo

Proposed Resolution for Discussion (Draft):

RESOLUTION NO. XX-21

Board of Trustees, Hanover Township
Butler County, Ohio

Regulating Parking and Right of Way Matters

WHEREAS, Hanover Township has the authority to regulate parking and right-of-way matters pursuant to Ohio Revised Code sections 504.04, 505.17, 4511.07 and 4521.02; and

WHEREAS, The Board of Trustees of Hanover Township find it in the best interest if public safety to prohibit commercial vehicles and/or trailers, recreational vehicles and/or trailers, and semi-trucks and/or semi-trailers from being parked within the public right-of-way, public streets, or alley ways, and prohibiting portable storage units being placed within the public right-of way in residential districts because they

create an unsafe traffic environment , in particular impeding the safe passage of emergency and service vehicles and interfering with sight distance visibility; and **WHEREAS**, The Board of Trustees of Hanover Township find it in the best interest of public safety to prohibit the keeping of dumpsters within the public right-of-way, public streets, or alley ways in residential districts because they create an unsafe traffic environment, in particular the safe passage if emergency and service vehicles, interference with sight distance visibility and visibility dangers and night; and **WHEREAS**, such vehicles, trailers and containers cause undo wear and damage to pavements constructed for normal residential use when parked or placed repeatedly in the same area; and

WHEREAS, the Board of Trustees of Hanover Township deems it necessary and does intend, acting pursuant to its statutory powers, to control the parking of commercial vehicles and/or trailers, semi-trucks and/or semi-trailers, recreational vehicles and/or trailers, portable storage units, and dumpsters on public streets, alley ways or public right-of way located in residential subdivisions within Hanover Township; and

WHEREAS, Hanover Township desires to recognize the parking and right-of way to violations contained herein as a civil matter pursuant to Ohio Revised Code sections 4521.02 and not criminal violations; and

WHEREAS, Hanover Township Board of Trustees recognizes that it did previously enact similar parking regulations under Resolution No 2011-037; and

WHEREAS, it is the intent of this Resolution to regulate the location of parking of commercial vehicles and/or trailers, recreational vehicles and/or trailers, semi-trucks and/or semi-trailers, and portable storage units within Hanover Township as described herein.

THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Hanover Township, Butler County, Ohio

SECTION 1: Definitions. As used in this Resolution;

- (A) “Alley way” means a street intended to provide access to the rear or side of lots or buildings and not intended for the purpose of through vehicular traffic.
- (B) “Commercial Vehicle” means a style of vehicle that may be used for transporting goods or passengers and may or may not be titled or registered to a company. Commercial vehicles may include fleet vehicles, company vehicles or other vehicles used for business.
- (C) “Commercial Trailer” means a non-motorized vehicle that is mounted on or pulled by another vehicle used for transporting goods, materials or equipment.
- (D) “Portable Storage Units” means an enclosed storage container constructed of plywood over steel frames or similar materials that does not exceed eight (8) feet in width, nine (9) feet in height and twenty (20) feet in length.

- (E) "Prohibited Vehicle" means any commercial vehicles and/or trailer or any recreational vehicles and/or trailer that exceeds eight-four (84) inches in width, measured from the outside of the tire most protruding to the outside of the opposite most protruding tire, or "semi-trailer" or "semi-truck" as defined below.
- (F) "Public Street" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposed of vehicular travel.
- (G) "Recreational Vehicle" means a motorized or non-motorized wheeled vehicle used for camping, boating, or other recreational activities
- (H) "Recreational Trailer" means a non-motorized vehicle that is mounted on or pulled by another vehicle used for camping, boating, or other recreational activities.
- (I) "Residential District" means any property or portion thereof located within the unincorporated area of Hanover Township that has been established, approved and recorded subdivision according to Butler County.
- (J) "Right-of-way" means land, property, or the interest therein, usually in the configuration of a strip acquired for or devoted to transportation purposed and includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state of Ohio or any of its political subdivisions.
- (K) "Semi-Trailer" means any non-motive powered commercial vehicles that is designed and intended to be towed by another vehicle in a manner that port of the weight of the vehicle being towed rests on and is carried by the towing vehicle.
- (L) "Semi-Truck" means any motor vehicle designed and used primarily for towing other vehicles and not so constructed so as to carry a load other than a part of the weight of the vehicle and load so towed.

SECTION 2:

- (A) Parking of Prohibited Vehicles on Public Streets, Alley Ways or Public Right-of-Way Located in recorded subdivisions within the township is prohibited.
- (B) No person shall stop, stand, or park a prohibited vehicle or any combination thereof on any public street, alley way or public right-of-way located in a residential district in any unincorporated portions of Hanover Township or within 300 feet of any residence located in a residential district, except as follows:
 - (1) As permitted by federal, State or local law

- (2) While expeditiously loading or unloading any commercial vehicle and/or trailer with passengers, freight, materials or merchandise and only between the hours of 7 a.m. and 10 p.m.
- (3) While effecting emergency repairs when a vehicle is so disabled as to render it unsafe to proceed further
- (4) Vehicles parked directly in front of a lot with a current and open building permit, for the purposes of active construction activities on that lot
- (5) Any government vehicle, emergency vehicle and/or apparatus, trash or recycling collection, or any vehicle authorized by the Township Trustees to be within a residential district that would normally violate the above listed sections
- (6) Any public, church or school bus "laying over" between scheduled passenger pickup points on regular routes however such lay-over shall be limited to a maximum of one hour
- (7) Any Recreational Vehicle that is parked in the public right-of-way for purposes of loading and unloading for a period of time not to exceed seventy-two (72) hours within any seven (7) day period.
- (8) Portable Storage Units placed in the public right-of-way for purposes of loading or unloading for a period of time not to exceed seventy-two (72) hours within any thirty (30) day period, subject to the following conditions:
 - (a) A permit shall be obtained prior to locating a Portable Storage Unit in the public right-of-way, which shall meet the approval of Hanover Township
 - (b) Portable Storage Units shall not exceed eight (8) feet in width, nine (9) feet in height and twenty (20) feet in length
 - (c) A maximum of two (2) Portable Storage Units may be permitted in the right-of-way per property; however, if the Portable Storage Units are smaller than specified in the Paragraph (b) above, more than two (2) may be permitted if the cumulative size does not exceed the maximum size.
 - (d) Reflective tape shall be located on the ends/edges of the Portable Storage Unit.
 - (e) A minimum of three (3) cones shall be placed in the direction of vehicular travel to warn motorists.
 - (f) The Portable Storage Unit shall be placed on plywood or similar material to avoid damage to the public road.
 - (g) Any and all damage to the public road from the placement of the Portable Storage unit shall be paid for by the applicant for the permit.

- (h) The Portable Storage Unit shall be placed no further than ten (10) feet from the back of curb (or from the edge of pavement where no curb exists).
- (i) The Portable Storage Unit shall not be located within thirty (30) feet of a stop sign.
- (j) The Portable Storage Unit shall not be located within fifteen (15) feet of a fire hydrant and shall not obstruct neighbor's driveway or mailboxes.
- (k) In cases where more than one (1) Portable Storage Units are approved to be located within the public right-of-way to serve a single property, the Portable Storage Units shall be located on the same side of the road (if possible) or coordinated with the appropriate agencies to ensure they do not obstruct the use of the roadway by large vehicles.
- (l) If a Portable Storage Unit is located in close proximity to another Portable Storage Unit, it shall be located on the same side of the road (if possible) or coordinated with the appropriate agencies to ensure they do not obstruct the use of the roadway by large vehicles.
- (m) The Portable Storage Unit shall not be placed in a manner that impedes the flow of storm water.

Section 3: The placement of all dumpsters shall be prohibited within the public right-of-way within Hanover Township.

SECTION 4:

- (A) Whoever violates any of these Sections contained within this Resolution shall be subject to the following civil penalty pursuant to Ohio Revised Code Section 4521-02(A), which shall accrue daily: \$100 per every day of the offense (each vehicle constitutes a separate offense).
- (B) Pursuant to Ohio Revised Code Sections 4521.023(C), anyone who is ticketed under the preceding Subsection "(A)" shall pay the civil penalty or otherwise answer to the infraction within thirty (30) days of the issuance of the ticket.
- (C) Pursuant to Ohio Revised Code Sections 4521.02(B), the Butler County, Ohio Sheriff's Office, or other designee of the Board of Township Trustees, is authorized to impound or immobilize any vehicle determined to be in violation of this resolution, but in no case shall a bond or cash deposit in excess of the limits stated in Ohio Revised Code Sections 4521.02(B) be required to obtain release of such vehicle.

- (D) For purposes of application of Ohio Revised Code Sections 4521.02 to this Resolution, storage units and dumpsters placed within the public right-of-way shall be considered vehicles.

BE IT FURTHER RESOLVED that Sections 1 through 4 of this resolution shall be subject to the limitations, restrictions, and exceptions of Ohio's traffic laws as codified at Ohio Revised Code Sections 4511.01 to 4511.76 and 4513.02 to 4513.37 and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon such soonest date as permitted by law.

RESOLUTION NO. 38-21

AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21,2021 NATIONAL OPIOD SETTLEMENT AGREEMENT

AN EMERGENCY RESOLUTION AUTHORIZING the Hanover Township Administrator Bruce E. Henry or alternate authorized official Fiscal Officer Gregory Sullivan to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc. and Amerisource Bergen Corporation ("Settling Distributors") pursuant to the OneOhio Memorandum of Understanding regarding the pursuant and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21,2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

WHEREAS, Hanover Township, Ohio (herein "Township") is a township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damaged caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and Hanover Township has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Board of Trustees understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective meaningful use of the funds in abating the opioid epidemic throughout Ohio,

as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by distributors Amerisource Bergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, the Board of Trustees wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF HANOVER TOWNSHIP BUTLER COUNTY, OHIO

Section 1. Hereby accepts the Proposed Settlement pursuant to the terms of the OneOhio MOU and authorizes the Township Administrator or Fiscal Officer to execute any documents related thereto.

Section 2. That it is found and determined that all formal actions of the Board relating to the adoption of this resolution were adopted in an open meeting of the Board and that all deliberations of the Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of Hanover Township. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Passed on August 18, 2021

Board of Trustees
Douglas L. Johnson
Larry Miller
Jeff Buddo

Vote

Attest:

Gregory L. Sullivan
Fiscal Officer/ Clerk

Other: Fire Department Association Discussion

Lt. Rhodus brought up the reformation of the Hanover Township Fire Association which will be set up as an independent 501-C3 under the IRS Code. Funds will be raised privately. Said funds would be used to support items needed by Fire Department personnel. It was noted that there was no objection by Township officials while stating that this set up is independent of Township funds, liability and oversight.

Early Voting Date October 5, 2021 reminder by Mr. Sullivan. Just a reminder to those working on the Fire Levy renewal that the efforts to communicate with voters should begin soon.

Miscellaneous Correspondence:

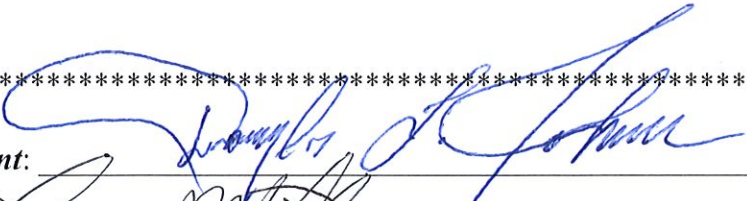
Mr. Henry brought to the attention of the Board the following:

1. Butler County Building Permit Report for July 2021
2. OTA Legislative Update
3. Medicount Management June 2021 Summary Report
4. Information Packet: Public Records Act and Sunshine Laws for each Trustee
5. Other

Motion to Adjourn:

There being no further business to be brought before the Board, a motion to adjourn was made by Mr. Miller which was seconded by Mr. Johnson. After discussion, Mr. Sullivan called the roll with all three Trustees voting yes.

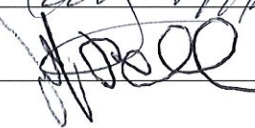
Douglas L. Johnson, President: _____



Larry Miller, Trustee: _____



Jeff Buddo, Trustee: _____



Date: 10 - 4 - 2021

Verified by: Greg Sullivan, Fiscal Officer: _____

