

**Board of Township Trustees Special Meeting
September 28, 2022
Minutes**

Larry Miller, President of the Board, called the meeting to order at approximately 8:40AM. Gregory L. Sullivan, Fiscal Officer, took roll call with Mr. Buddo, Mr. Johnson and Mr. Miller present. Also present was Bruce E. Henry, Township Administrator. The agenda approved for the meeting was as follows:

1. Call to Order: Larry Miller, Presiding
2. Roll Call: Township Fiscal Officer/Clerk- Gregory L. Sullivan
3. Road Program 2023 through BCEO Update and Requirements
 - A) Amendment to approved program (ARPA Funds of \$262,077.00)/ 2023 Road Program
 - B) Gene Avenue Issues and Decision
 - C) Financing Options
4. Resolution No. 40-22
5. Other Issues: Clarification Zoning Issues- County Prosecutor Letter
6. Adjournment

Mr. Henry presented an update from the Butler County Engineer's Office regarding the 2023 Township Road Program to be bid through the BCEO as well as instructions/interpretations provided by legal counsel through the Butler County Prosecutor's Office. In particular was the clarification that the \$262,077.00 ARPA funds provided by the Butler County Board of Commissioners to Hanover Township was to be administered through the County Engineer's Office, subject to their guidelines and cannot be used for the Gene Avenue Culvert Project. The money can only be used for paving. BCEO estimates that road paving costs as of this date is in excess of \$180,000.00 per lane mile. This information causes a change to be made in the Township's strategy to fund the total 2023 Road Program. Therefore a motion is in order to remove the Gene Avenue Culvert Project from the ARPA funds earmark but add the paving of Vizedom Road and 2/10 of a mile on Morman Road from Stillwell Beckett Road. After review, Mr. Johnson made a **motion**, seconded by Mr. Buddo to approve the foregoing. After discussion, Mr. Sullivan called the roll with all three Trustees voting yes.

As the result of this information and interpretations, BCEO is requesting new resolutions be passed for both incorporating the County ARPA requirements and confirming the Township's commitment to do the Gene Avenue Culvert Project as well as identify the sources of funding, especially any local ARPA funds. Mr. Henry discussed the financing options for this project which includes Community Development Block Grant funds of \$71,000.00, local

road fund money and local ARPA funds. Also slated for 2023 is the drainage and parking lot improvements for the Community Center. A \$124,000.00 grant has been secured through the Community Development Block Grant program. Costs may increase for this project as well. Due to the inflation rates and uncertain aspect of future bidding, the Township should take a conservative approach to budgeting for this program as well as for other operations. Based upon the updated information and advice from legal counsel, the first resolution to be considered by the Board is Resolution No.40-22, Regarding Participation with The Butler County Board of County Commissioners and Butler County Engineer's Office for the Use of ARPA Funds for Road Paving in 2023. There is also an addendum that includes procurement guidelines and related ARPA fund requirements. Mr. Henry presented the resolution for consideration by the Board.

Resolution No. 40-22

Regarding Participation with The Butler County Board of County Commissioners and Butler County Engineer's Office for the Use of ARPA Funds for Road Paving in 2023.

WHEREAS, the Board of Trustees of **Hanover** Township is responsible for maintaining all roads within its township pursuant to Ohio Revised Code Section 5535.01; and

WHEREAS, the Board of Commissioners of Butler County, Ohio received federal funds pursuant to the American Rescue Plan Act of 2021 ("ARPA") and has allocated part of those funds for the repair and resurfacing of roads within each Butler County township to offset part of the cost of maintaining township roads (see attached Exhibit "A"); and

WHEREAS, the Board of Trustees of **Hanover** Township is a "political subdivision having authority to construct, reconstruct, resurface, improve, repair, and maintain roads or streets..." (R.C. 5535.08(C)); and

WHEREAS, the Board of Trustees of **Hanover** Township, has identified and provided to the Butler County Engineer, the specific streets and approximate mileage that **Hanover** Township is requesting to be included in the invitation to bid for construction, reconstruction, resurfacing, or repair contract which is attached as Exhibit "E"; and

WHEREAS, the Board of Trustees of **Hanover** Township and the Board of Commissioners of Butler County, Ohio may "...enter into an agreement with ...township... whereby the board undertakes, and is authorized by the contracting subdivision, to exercise any power, perform any function, or render any services, on behalf of the contracting subdivision or its legislative authority, that such subdivision or legislative authority may exercise, perform, or render..." (R.C. 307.15); and

WHEREAS, the Board of Trustees of **Hanover** Township desires to enter into this agreement with the Board of Commissioners of Butler County, Ohio and on behalf of the Butler County Engineer to construct, reconstruct, resurface, improve, and repair roads or streets; and

WHEREAS, the Board of Trustees of **Hanover** Township delegates its authority pursuant to R.C. 5535.01 and R.C. 5535.08 to, and specifically authorizes, the Board of Commissioners of

Butler County, Ohio and the Butler County Engineer, in accordance with R.C. 307.15, to: exercise any power, perform any function, or render any services; to prepare all plans, specifications, details, and estimates of cost for the construction, reconstruction, resurfacing, improvement or repair of roads; to take all actions necessary for the construction, reconstruction, resurfacing, improvement, or repair of roads; to prepare invitations to bid and award all contracts in the manner provided by law; and to ensure that all actions necessary and proper to complete the project are in compliance with the Federal requirements pursuant to 2 C.F.R. 200 which includes internal controls (2 CFR 200.303), a procurement policy (2 CFR 200.318(a)), affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible (2 CFR 200.321) and standards of conduct (2 CFR 200.318(b)); and

WHEREAS, the Board of Trustees of **Hanover** Township, pursuant to R.C. 5535.08(C)(1), delegates its authority to, and specifically authorizes, the Butler County Engineer to pay contractors who have been awarded contracts through the Butler County Engineer's Office, first with the ARPA funds that have been allocated to **Hanover** Township by the Board of Commissioners of Butler County, Ohio (see attached Exhibit "A"), until the allocated ARPA funds are exhausted; and

WHEREAS, the Board of Commissioners of Butler County, Ohio shall be responsible for any and all reporting requirements for the ARPA funds allocated by the Board of Commissioners of Butler County, Ohio to offset the cost of maintaining township roads; and

WHEREAS, the Board of Trustees of **Hanover** Township shall pay into the County Road Fund, any and all additional amount of funds required to complete **Hanover** Township's road repair project, which will be paid to contractors who have been awarded contracts through the Butler County Engineer's Office, for any and all amounts exceeding the county allocated ARPA funds in the attached Exhibit "A"; and

WHEREAS, the Board of Trustees of **Hanover** Township may pay into the County Road Fund those funds the Board of Trustees deems appropriate, including from ARPA funds received directly by **Hanover** Township; and

WHEREAS, the Butler County Engineer shall be responsible for any and all reporting requirements for the use of county allocated ARPA funds and the Board of Trustees of **Hanover** Township shall be responsible for any and all reporting requirements for any ARPA funds paid by the board of trustees into the County Road Fund; and

WHEREAS, the Board of Trustees of **Hanover** Township, pursuant to R.C. 5535.08(C)(1), delegates its authority to, and specifically authorizes the Butler County Engineer's Office, with the funds deposited by **Hanover** Township into the County Road Fund after the allocated ARPA funds in the attached Exhibit "A" are exhausted; and

WHEREAS, the Board of Trustees of **Hanover** Township are required, prior to expenditure of funds, to adopt internal controls (2 CFR 200.303), a procurement policy (2 CFR 200.318(a)), and standards of conduct (2 CFR 200.318(b)); and

WHEREAS, the Board of Commissioners of Butler County Ohio have adopted the Butler County Uniform Guidance Policies which is in compliance with the Federal requirements pursuant to 2 C.F.R. 200 which includes internal controls (2 CFR 200.303), a procurement policy (2 CFR 200.318(a)), and standards of conduct (2 CFR 200.318(b)); and

WHEREAS, the Board of Trustees of **Hanover** Township, in order to be in compliance with the Federal requirements pursuant to 2 C.F.R. 200, including internal controls (2 CFR 200.303), a procurement policy (2 CFR 200.318(a)), and standards of conduct (2 CFR 200.318(b)), will adopt the Butler County Uniform Guidance Policies in its entirety which is attached as Exhibit "B"; and

WHEREAS, the Board of Trustees of **Hanover** Township has attached as Exhibit "C" the proposed reciprocal resolution from the Board of County Commissioners of Butler County Ohio.

NOW THEREFORE BE IT:

RESOLVED, that the Board of Trustees of **Hanover** Township, has identified and provided to the Butler County Engineer, the specific streets and approximate mileage that **Hanover** Township is requesting to be included in the invitation to bid for construction, reconstruction, resurfacing, or repair contract which will be attached as Exhibit "E"; and

RESOLVED, that the Board of Trustees of **Hanover** Township, pursuant to Ohio Revised Code Sections 5535.01 and 5535.08, and in accordance with Ohio Revised Code Section 307.15, enters into an agreement with the Board of County Commissioners of Butler County Ohio and the Butler County Engineer for the construction, reconstruction, resurfacing, improvement, or repair of roads to be located in **Hanover** Township, but only to the extent of the current projects identified herein; and

RESOLVED, that the Board of Trustees of **Hanover** Township, upon receiving the executed reciprocal resolution from the Board of County Commissioners of Butler County Ohio, delegates its authority pursuant to R.C. 5535.01 and R.C. 5535.08 to, and specifically authorizes, the Board of Commissioners of Butler County, Ohio and the Butler County Engineer, in accordance with R.C. 307.15, to: exercise any power, perform any function, or render any services; to prepare all plans, specifications, details, and estimates of cost for the construction, reconstruction, resurfacing, improvement or repair of roads; to take all actions necessary for the construction, reconstruction, resurfacing, improvement, or repair of roads; to prepare invitations to bid and award all contracts in the manner provided by law; and to ensure that all actions necessary and proper to complete the project are in compliance with the Federal requirements pursuant to 2 C.F.R. 200 which includes internal controls (2 CFR 200.303), a procurement policy (2 CFR 200.318(a)), affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible (2 CFR 200.321) and standards of conduct (2 CFR 200.318(b)) (the county adopted reciprocal resolution to be attached as Exhibit "D").

RESOLVED, that the Board of Trustees of **Hanover** Township, upon receiving the executed reciprocal resolution from the Board of County Commissioners of Butler County Ohio, delegates its authority pursuant to R.C. 5535.01 and R.C. 5535.08 to, and specifically authorizes, the Board of Commissioners of Butler County, Ohio and the Butler County Engineer, to pay contractors who have been awarded contracts through the Butler County Engineer's Office, first with the ARPA funds that have been allocated to **Hanover** Township by the Board of Commissioners of Butler County, Ohio (see attached Exhibit "A"), until the allocated ARPA funds are exhausted.

RESOLVED, the Board of Trustees of **Hanover** Township, upon receiving the executed reciprocal resolution from the Board of County Commissioners of Butler County Ohio, delegates its authority pursuant to R.C. 5535.01 and R.C. 5535.08 to, and specifically authorizes, the Board of Commissioners of Butler County, Ohio and the Butler County Engineer, to pay contractors who have been awarded contracts through the Butler County Engineer's Office, after the county allocated ARPA funds for **Hanover** Township have been exhausted, with funds deposited by **Hanover** Township in the County Road Fund .

RESOLVED, the Board of Trustees of **Hanover** Township, will complete the reporting requirement for the use of any ARPA funds received directly by **Hanover** Township, and paid by **Hanover** Township into the County Road Fund, as required by the American Rescue Plan Act of 2021.

RESOLVED, the Board of Trustees of **Hanover** Township, after reviewing the Butler County Uniform Guidance Policies in their entirety, hereby accepts, approves and adopts the Butler County Uniform Guidance Policies in its entirety which is attached as Exhibit "B".

RESOLVED, the Board of Trustees of **Hanover** Township hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board, which resulted in those formal actions, were in meetings open to the public in compliance with the law.

INTRODUCTION AND VOTE RECORD:

Trustee _____ introduced the foregoing Resolution and moved its adoption. Trustee _____ seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: (Name) _____ (Name) _____ (Name) _____

Adopted at the meeting of the **Hanover** Township Board of Trustees this 28th day September 2022.

Name, President

Name, Vice President

Name, Trustee

CERTIFICATE/ AUTHENTICATION:

State of Ohio, Butler County

I, _____, the Fiscal Officer of **Hanover** Township, Butler County, Ohio, certify that the foregoing Resolution No. 40-22 is taken and copied from the record of proceedings of the township, and that it has been compared by me with the resolution on the record and is a true copy.

Signature of Fiscal Officer: _____

Date: _____

After review, Mr. Buddo made a **motion** seconded by Mr. Miller to approve Resolution No. 40-22 and addendum to be forwarded to the County Engineer's Office. After discussion, Mr. Sullivan called the roll with all three Trustees voting yes.

Mr. Henry presented the next resolution which covers the Gene Avenue Culvert Project, Resolution No. 41-22: Approving the 2023 Gene Avenue Culvert Project to be Part of the Butler County Engineer's Office Bidding Program.

Resolution No. 41-22

Approving the 2023 Gene Avenue Culvert Project to be Part of the Butler County Engineer's Office Bidding Program

Whereas, Hanover Township works with the County Engineer's Office annually to cooperate with the county in the paving/road program and special projects; and

Whereas, the Township Trustees desire to participate with the Butler County Engineer's Office to design and bid the project known as the Gene Avenue Culvert Project in 2023; and

Whereas, Hanover Township intends to use a combination of Community Development Block Grant Funds, American Relief Act funds and Township Road allocation funds to pay for said project;

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

Section I. Resolution No. 41-22 is hereby approved authorizing the participation of Hanover Township with the Butler County Engineer's Office to design and bid the Gene Avenue Culvert Project for construction in 2023.

Section II. That any costs not covered by grant funds or ARPA funds will be paid for by the Township with local funds.

Section III. That this Resolution is to be presented to the Butler County Engineer's Office by September 30, 2022.

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 28th day of September 2022.

Board of Trustees

Vote

Attest:

Larry Miller
Jeff Buddo
Douglas L. Johnson

Gregory L. Sullivan
Fiscal Officer/ Clerk

All three Trustees expressed concern about rising inflationary costs and in particular petroleum costs which not affects road maintenance issues but township operations in general. After review and explanation, Mr. Miller made a **motion** to approve Resolution No. 41-22 and forward same to the Butler County Engineer's Office which was seconded by Mr. Buddo. After discussion, Mr. Sullivan called the roll with all three Trustees voting yes.

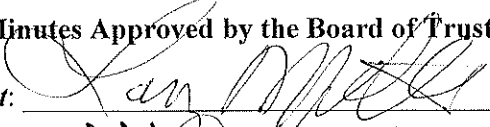
Mr. Henry presented an update letter from the County Prosecutor clarifying questions regarding enforcement of zoning provisions, the county's role and responsibilities of the Township. Mr. Henry will continue to work closely with Jim Fox, County Zoning Officer, to follow up on nuisances and zoning violations. All three Trustees complimented Jim Fox's cooperation with the township and his effective follow up matters brought to his attention.

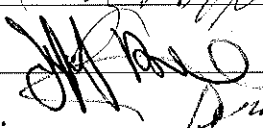
There was no further business to come before the Board

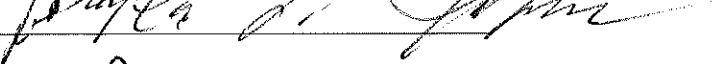
Motion to Adjourn: Mr. Miller moved, seconded by Mr. Johnson, to adjourn the Board of Trustees meeting. Upon roll call, all three Trustees voted yes.



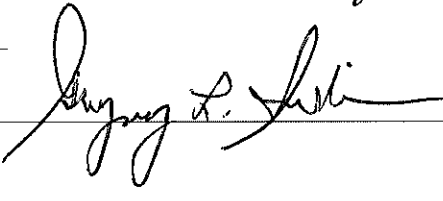
September 28, 2022 Minutes Approved by the Board of Trustees as Witnessed by their Signatures:

Larry Miller, President:  _____

Jeff Buddo, Vice President:  _____

Douglas L. Johnson, Trustee:  _____

Date: 10/19/2022

Verified by: Greg Sullivan, Fiscal Officer:  _____